



State of Alabama

The Alabama Board of Electrical Contractors

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MINUTES

Board Meeting

January 22, 2024

The Alabama Board of Electrical Contractors met on Monday, January 22, 2024, at the Board's office located at 2777 Zelda Road in Montgomery, Alabama. Board members in attendance were Mr. Jeremy Atchley (Board Chair), Mr. Shon Rogers (Board Vice Chair), and Mr. Terry Wallace (member), Mr. Fred Moore (member), Mr. Theodore Blunt (member), Mr. Mac McCreless (member), Mr. Robert Lamborne (member) and Mr. Johnny Grimes (member). Member absent was Mr. Ben Freeman (member). Others present were Mr. Keith Warren (Executive Director), Mrs. Hendon Coody (Board General Counsel), Mr. Mike James (Investigator), Ms. Karen Harlow (Legal Assistant), Ms. Camby Garner (Licensing Specialist), Ms. Angela Warr (Executive Assistant), Ms. Renee' Reames (recording secretary), along with Mr. Alva Lambert and Mr. Patrick McWhorter and guests.

CALL TO ORDER

The meeting was called to order at 10:00 a.m. by Mr. Jeremy Atchley, Board Chair. Mr. Warren called member roll and 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. Mr. Warren read the Opening Statement regarding Robert's Rules of Order and the Alabama Open Meetings Act. Travel expense reports were completed by attending Board members and accepted by the Board.

APPROVAL OF MEETING AGENDA

Chairman Atchley presented a copy of the proposed agenda for the January 22, 2024, Board meeting.

MOTION: Mr. Moore made the motion to accept the meeting agenda as presented. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

ADOPTION OF MINUTES

Chairman Atchley presented for the Board's approval a copy of the minutes from the November 13, 2023, regular meeting of the Board. The Board members were provided with a copy of the minutes prior to the meeting for their review.

MOTION: Mr. Rogers made a motion to approve the November minutes as presented. The motion was seconded by Mr. Moore 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 December 31, 2023. He reported that \$58,704.98 reverted to the General Fund from the Board's 2023 fiscal year budget.

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

Mr. Warren reported on the number of complaints received during FY 2023 and FY 2024. He reported on the number of current licensees, along with licensing examination results. He presented a list of activities performed by the staff since the last regular Board meeting held in November.

Mr. Warren reported that no Board member appointments had been confirmed at this time.

LEGAL COUNSEL REPORT

Mrs. Coody reported that the Board had received 41 complaints in FY 2024. She asked Mr. James to present the Investigative Committee (IC) report (available in the official Book of Minutes). Mr. James presented a summary of the following cases, with recommendations from the (IC):

- IC recommended to close 14 ECB Cases with a cease and desist order issued in the field in Cases 2024-013, 2024-014, 2024-017, 2024-019, 2024-21, 2024-023, 2024-025, 2024-026, 2024-027, 2024-029, 2024-030, 2024-032, 2024-034, and 2024-038.
- IC recommended to close 5 ECB Cases as unfounded/no violations in Cases 2024-004, 2024-008, 2024-012, 2024-016.01 and 2024-016.02.
- IC recommendation to close 3 ECB Cases as no jurisdiction in Cases 2024-001, 2024-015 and 2024-013.
- IC recommended to close 3 ECB Cases due to improper jurisdiction in Cases 2024-005, 2024-006 and 2024-009.
- IC recommended to close ECB Case 2024-002 that had been withdrawn by the complainant.
- IC recommended action on the following 5 ECB Cases as founded:
 - 2023-130 approve \$500 fine and one year probation,
 - 2023-134 approve \$1,000 fine and one year probation,
 - 2024-003 approve cease and desist be issued,
 - 2024-024 approve cease and desist be issued, and
 - 2024-035 approve \$1,000 fine and one year probation.

MOTION: Mr. Moore made the motion to approve the IC recommendations as presented. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

The Board discussed the benefits of the written IC report when speaking with legislators about the activities of the Board.

The Board also discussed a situation where a general contractor had bid on a job and did not have an electrical contractor at the time of the bid. Upon award to the contract, the general contractor used an unlicensed electrical contractor to perform the work. The Board discussed violations to § 34-36-16(b), in soliciting electrical work without a license. The Board discussed sending a letter to the General Contractors' Board to remind licensees about soliciting electrical work without a licensed electrical contractor and further discussed whether the bid was valid.

MOTION: Mr. Wallace made a motion to send a letter to the General Contractors' Board as discussed. The motion was seconded by Mr. McCreless and unanimously approved by the voting members, with Mr. Moore abstaining from voting. The Board also discussed that in future complaints of this nature that the law be enforced.

General Contractors' Board Law Examination

Mr. Warren presented to the Board a copy of the General Contractors' (GC) business and law exam content outline, and recommended the Board approve the examination as comparable and a substitute to Board's business and law exam, in cases where an applicant has been the GC's exam.

MOTION: Mr. McCreless made the motion to accept the General Contractors' business and law exam as having met the requirements for the Alabama Board of Electrical Contractors' business and law exam. The motion was seconded by Mr. Moore and unanimously approved by the Board.

Review of New Legislation for Restricted Licensing

Mr. Warren presented a copy of the proposed legislation for the Board's review, which included issuing a restricted electrical contractor license. Mr. Warren explained that the restricted designation would be for provisional licensees to move into a new designation and no new jurisdictions would be added to expand the work area and no restricted electrical licenses would be issued to new licensees.

2023 NEC Examination Topics

Mr. Warren recommended that the Board adopt the 2023 National Electrical Code for examinations.

MOTION: Mr. McCreless made the motion to approve the 2023 National Electrical Code for examination topics. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

Review of Applications

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

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

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

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

Mr. Barrows reported that no new Continuing Education Provider applications had been received.

ANNOUNCEMENTS

Chairman Atchley reminded the members that the next regularly scheduled meeting of the Board was March 18, 2024, at 10:00 a.m. at the Board's office.

ADJOURNMENT

Chairman Atchley called for other business and there were none.

MOTION: Mr. Moore made a motion to adjourn the meeting. The motion was seconded by Mr. Wallace, and having no objections from the members, Chairman Atchley adjourned the meeting at 12:05 p.m.

Respectfully submitted,

Jeremy Atchley
Board Chair

Keith E. Warren
Executive Director

Approved on _____/rr_____