



State of Alabama
The Alabama Board of Electrical Contractors

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MINUTES
Board Meeting
March 18, 2024

The Alabama Board of Electrical Contractors met on Monday, March 18, 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), Mr. Terry Wallace (member), Mr. Fred Moore (member), Mr. Theodore Blunt (member), Mr. Johnny Grimes (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. 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.

CALL TO ORDER

The meeting was called to order at 10:05 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 March 18, 2024 Board meeting. MOTION: Mr. Rogers made the motion to accept the meeting agenda as presented. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

ADOPTION OF MINUTES

Chairman Atchley presented for the Board's approval a copy of the minutes from the January 22, 2024, 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. Moore made a motion to approve the January meeting minutes as presented. The motion was seconded by Mr. McCreless and unanimously approved by the Board.

Chairman Atchley presented for the Board's approval a copy of the minutes from the March 5, 2024, emergency meeting of the Board. The Board members were provided with a copy of the minutes prior to the meeting for their review.

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

Chairman Atchley presented for the Board's approval a copy of the amended minutes from the November 13, 2023, meeting of the Board. The Board members were provided with a copy of the minutes with the correction to the motion on page 3 to Rule 303-X-2-.10.

MOTION: Mr. Moore made a motion to approve the amended November meeting minutes as presented. The motion was seconded by Mr. Rogers 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 financial activities for the period ending February 29, 2024. He reminded the Board that \$58,704.98 had 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. Grimes and unanimously approved by the Board.

Mr. Warren reported on the number of licensees and reminded the members that licensing fees were not being collected for Provisional licensees. He also reviewed the number of applicants that had taken the licensing examination.

Mr. Warren reviewed the status of complaints received during FY 2024 and complaints pending from FY 2023. He also presented a list of activities performed by the staff since the last regular Board meeting held in January.

Mr. Warren reported that no Board member appointments had been confirmed at this time, and he would follow-up by email with the individual Board members about expired terms.

LEGAL COUNSEL REPORT

Mrs. Coody reported that the Investigative Committee (IC) met and presented a list of cases for the Board's consideration (available in the official Book of Minutes). Mr. James presented the IC recommendations and reported that Chairman Atchley was recused as a member of the Committee.

- Cases founded and recommended the cases be closed by a cease and desist order issued in the filed: Cases 2024-040, 2024-041, 2024-043, 2024-044, 2024-050, 2024-051 and 2024-052.
- Letter of Concern issued: Case 2024-047.
- Close case due to no jurisdiction: Case 2024-018.
- Complainant withdrew complaint and recommended to close the case: Case 2024-028.
- Close cases due to no probable cause and unfounded: Cases 2024-042, 2024-053 and 2024-055.
- Withdraw the cease and desist and fine that was previously approved by the Board: Case 2023-090.2.
- Case founded and assessed \$2,000 fine: Case 2024-033.
- Case founded and cease and desist issued: Case 2024-036.
- Case founded and cease and desist issued with \$1,000 fine: Case 2024-037.
- Cases founded and assessed \$1,000 fine and one year probation: Cases 2024-039 and 2024-046.
- Case founded and assessed \$5,000 fine: Case 2024-048.
- Case founded and assessed \$2,000 fine: 2024-049.

MOTION: Mr. Blunt made the motion to approve the IC recommendations as presented. The motion was seconded by Mr. Freeman and unanimously approved by the Board, with Chairman Atchley recused from voting.

Mr. Warren commented on the benefits of utilizing the expertise of different Board members serving on the IC and indicated that the disciplinary actions by the Board would be updated on the Board's website which could further educate the licensees and public about violations. He reminded the members that the Board's investigators have contacted the city/county officials to verify the work referenced in the complaint and the Board did not have the authority to perform inspection of electrical work performed.

OLD BUSINESS

Legislation:

Mr. Warren presented a letter from Mr. Whetstone, Director of Building Services with the City of Sylacauga, concerning Provisional licenses (copy viewed in official Book of Minutes). He wrote in opposition of requiring Provisional licensees, who were licensed for the past 10 years, to take an examination to maintain their electrical license. The Board reviewed prior communications to Provisional licensees from the Board and agreed to send updated communications to the Provisional licensees about opposition by legislators about continuing their license and to notify them about the Board's opposition to SB224 to consolidate occupational licensing boards under one State agency. The Board discussed that there was no transparency by the Legislature to the state boards about the consolidation and the boards were in favor of a public hearing on this matter. Mr. Lambert commented on the public hearing process.

Chairman Atchley called a recess of the Board at 11:26 a.m. for approximately five (5) minutes.

Chairman Atchley reconvened the business meeting of the Board at 11:35 a.m.

MOTION: Mr. Lamborne made the motion that the Board stand in opposition to SB224 to consolidate occupational licensing boards. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

MOTION: Mr. Moore made the motion to authorize the Executive Director to speak to the media press about the Board's opposition to the legislation to consolidate occupational licensing board. The motion was seconded by Mr. Freeman and unanimously approved by the Board.

Mr. Warren also provided copies of letters and emails from other State board representatives opposing SB224.

MOTION: Mr. Moore made the motion to authorize the Executive Director to call for a public hearing on the proposed consolidation bill, SB224. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

MOTION: Mr. Grimes made the motion to authorize the Board's General Counsel to contact State Personnel Department about the process of hiring an Executive Director and employees, and once hired, the Board would vote on canceling the administrative services management contract. The motion was seconded by Mr. Moore and unanimously approved by the Board.

The Board also reviewed communications from the Shelby County Electrical Inspector in opposition of SB101 by the HARC Board and SB180 by the PGF Board to allow their licensees to perform electrical installations in residences and concern about not having proper training in the electrical filed. Mr. Warren reported that, with the expressed opposition to these two bills, there was no new information to report from the Legislature at this time.

Discussion of Journeyman Licensing Requirements

The Board continued to discuss a Journeyman's license as a prerequisite to an Electrical Contractor's license and identifying incentives to obtain a Journeyman's license. The Board reviewed the current definition for a Journeyman and Electrical Contractor and whether electrical work needed to be further defined, along with the review of current requirements to allow education as a substitute for experience (Rule 303-X-2-.02) and also discussed were apprenticeships. The Board discussed establishing requirements that a licensed Journeyman be on the job-site and/or assigned to the job.

MOTION: Mr. McCreless made the motion that the Board's General Counsel draft a new rule for Journeyman qualifications. The motion was seconded by Mr. Moore and unanimously approved by the Board.

NEW BUSINESS

Proposed Rule for Vehicle License Display

Mrs. Coody presented a proposed new rule for Vehicle License Display. The Board agreed that the lettering should be in high contrast and comply with Department of Transportation requirements regarding size of letter and background contrast.

MOTION: Mr. Freeman made the motion to adopt the proposed new rule for Vehicle License Display as discussed. The motion was seconded by Mr. Rogers and unanimously approved by the Board.

MOTION: Mr. Grimes made the motion that the new rule would become effective January 1, 2025. The motion was seconded by Mr. Freeman and unanimously approved by the Board.

Public Hearing and Adoption of Final Rule 303-X-2-.08

Mr. Warren reported that amended Rule 303-X-2-.08 had been published and no comments were received in writing nor at the public hearing.

MOTION: Mr. Grimes made the motion to approve Final Rule 303-X-2-.08 as published. The motion was seconded by Mr. Moore and unanimously approved by the Board.

Public Hearing and Adoption of Final Rule 303-X-2-.10

Mr. Warren reported that amended Rule 303-X-2-.10 had been published and no comments were received in writing nor at the public hearing.

MOTION: Mr. Grimes made the motion to approve Final Rule 303-X-2-.10 as published. The motion was seconded by Mr. Moore and unanimously approved by the Board.

Review of Applications

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

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

MOTION: Mr. McCreless 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. Grimes 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 May 20, 2024, at 10:00 a.m. at the Board's office.

The Board was reminded that the Statement of Economic Interest for calendar year 2023 was due no later than April 30, 2024, and should be filed on the Ethics Commission's website.

Also discussed was the Board member training required through training videos offered on the Board of Examiners of Public Accounts website. The training videos should be viewed prior to April 30, 2024. Mr. Warren reported that the Examiners' office was maintaining a list of board members that viewed the training videos, and he asked the Board members to notify his office when they completed the training.

ADJOURNMENT

Chairman Atchley called for other business and there were none.

MOTION: Mr. Grimes made a motion to adjourn the meeting. The motion was seconded by Mr. McCreless, and having no objections from the members, Chairman Atchley adjourned the meeting at 1:57 p.m.

Respectfully submitted,

Jeremy Atchley
Board Chair

Keith E. Warren
Executive Director

Approved on _____/rr_____