



State of Alabama

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

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### **MINUTES Board Meeting July 10, 2017**

The Alabama Board of Electrical Contractors met on Monday, July 10, 2017, at the Board's Office located at 2777 Zelda Road, Montgomery, Alabama, in order to conduct business. Those members in attendance were as follows: Mr. Jay Stutts (Board Chair), Mr. Mike Custred (Vice Chair), Mr. Bruce Taylor (member), Mr. Richard Meadows (member), Mr. Terry Wallace (member) and Mr. Mark Lamborne (member). Board members not in attendance were Mr. Chuck Turner, Mr. Ron Weaver and Mr. Gary Reaves. Also in attendance were Keith Warren (Executive Director), Ms. Hendon Coody (General Counsel), Mr. Randy Barrows (Administrator), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren, Executive Director, and serving as recording secretary).

The meeting was called to order at 10:00 a.m. by Mr. Stutts, Board Chair, and 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.

The minutes from the May 8, 2017 regularly scheduled meeting were presented by Mr. Stutts for the Board's approval. The Board members were provided a copy of the minutes prior to the meeting for their review. Mr. Wallace made a motion to approve the May minutes as presented. The motion was seconded by Mr. Meadows and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report that included a line item financial report of expenditures and revenue as of June 30, 2017 (report filed for viewing in the Board's official Book of Minutes). He reported on the corrected cash balance, noting the error in STAARS financial report. He reported on the number of active and inactive licensees and the number of complaints received to-date in FY 2017. He also presented the Administrator's report on daily activities performed by the staff in processing applications and services for the licensees.

Mr. Warren reminded the Board members, who were eligible to serve another term, to submit to him a copy of their resume, along with a letter addressed to the Governor, indicating their interest in serving another term.

Mr. Wallace made a motion to accept the financial report as presented. The motion was seconded by Mr. Meadows and unanimously approved by the Board.

Mr. Warren reminded the members about previous discussion to reexamine the issues discussed with PROV in considering the renewal of their contract over six months ago. He indicated that some problems had continued and Mr. Barrows reviewed some problems similar to the ones previously discussed with PROV. The Board inquired about NASCLA efforts to develop a national examination program. Mr. Warren indicated that he would have more information to report to the Board following NASCLA's annual meeting, which was scheduled at the end of August. The Board reviewed the Examination statute (§ 34-36-7) and agreed to meet with PROV during a future Board meeting to discuss any continued problems.

Mr. Warren reviewed with the Board a letter from the State Division of Risk Management and Ms. Coody discussed this matter in more detail with the Board members. She reported that the Executive Director was not currently covered by the State Risk Management plan. Mr. Warren presented an example of a litigation, which the Board members were individually named, along with the Executive Director. He reported that this particular complaint case had involved an investigative committee. Mr. Warren recommended that the General Counsel provide a summary complaint report of the cases at future Board meetings for Board action.

Ms. Coody explained the process for a permanent injunction (civil matter) when cases warrant such action, along with issuing a cease and desist (C&D) and warnings to Respondents. She presented the following cases in her General Counsel report:

- #2017-033: Second time Respondent performing work without a license; a C&D was issue in 2016 by the Board. She reported that the Respondent had taken the exam 6 times; last time in February 2016. Mr. Lamborne made a motion that the Board file a request for a civil injunction in the appropriate circuit court, requesting that the non-licensed person be enjoined from practicing electrical contracting until such time as he becomes properly licensed. The motion was seconded by Mr. Custred and unanimously approved by the Board.
- #2017-035: Respondent was a repeat offender in violating the Board's statute and she indicated that the Respondent was reported to be out-of-state now and no further action be taken until he was back in the Board's jurisdiction.
- #2017-045: The Respondent licensee allowed a Provisional licensee to use his license to pull a permit to perform work outside of the Provisional licensee's jurisdiction. Mr. Lamborne made a motion to issue a C&D to the Provisional licensee about working outside their licensed jurisdiction, and to issue a C&D to the licensed Electrical Contractor about the violation in the use of his license, along with a strong warning. The motion was seconded by Mr. Custred and unanimously approved by the Board.
- #2017-046: The same licensee (as in case 2017-045) allowed an unlicensed individual to pull a permit using his license. Mr. Lamborne made a motion to issue C&D to the unlicensed individual and to issue a C&D and substantial fine of \$1000 to the licensee, along with notify the Georgia Licensing Board of the Board's action as it pertains to the Respondents. The motion was seconded by Mr. Wallace and unanimously approved by the Board.
- #2017-047: An unlicensed individual that had been fined by the Huntsville authority and the individual paid their fine. Mr. Meadows made a motion to issue a C&D to unlicensed Respondent. The motion was seconded by Mr. Wallace and unanimously approved by the Board.

- #2017-048: A licensed electrical contractor (EC) was performing work for a homeowner and a burglary occurred at the homeowner's address, where some electrical supplies were taken. The EC attempted to complete the work, but the homeowner employed another individual. Burglary charges have been filed in the meantime and Ms. Coody recommended that the case be closed due to no evidence of Board violation. Board unanimously concurred.
- #2017-049: An unlicensed Respondent was advertising electrical work on a van. Ms. Coody recommended issuing the unlicensed Respondent a C&D and notifying him to remove all advertising of electrical work from his van. The Board unanimously concurred with Ms. Coody's recommendation.
- #2017-050: An unlicensed Respondent advertising on the Internet for handyman to perform electrical work. Ms. Coody recommended issuing a C&D on advertising. The Board unanimously concurred with the recommendations by Ms. Coody.
- #2017-052: A second offense by the owner of a long-standing company advertising electrical services and not employing an electrical contractor. Mr. Lamborne made a motion that the Board file a request for a civil injunction in the appropriate circuit court, requesting that the non-licensed person be enjoined from practicing and advertising electrical contracting until such time as he becomes properly licensed. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mr. Stutts reported that there was no old business to be discussed by the Board.

Mr. Warren reported that the annual election of officers was due. The Board discussed the current expiration of Board terms and Mr. Lamborne made the motion to postpone the election of officers until the next Board meeting to allow time for new members to be appointed. The motion was seconded by Mr. Meadows and unanimously approved by the Board.

Ms. Coody requested to attend the Federation of Associations of Regulatory Boards in October. She indicated that she planned to drive to the meeting to be held in Savannah. Mr. Lamborne made the motion to approve the travel by Ms. Coody to attend the FARB in Savannah. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

Mr. Warren reported that the following individuals had asked to attend NASCLA's annual meeting: Messrs. Warren, Meadows, James and Ms. Coody. The Board unanimously approved the requests to attend the NASCLA meeting.

Mr. Barrows reported that there were no CE Provider applications to be consider by the Board.

Mr. Lamborne made the motion to approve the Reciprocity Electrical Contractor applications as presented (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Custred and unanimously approved by the Board.

Mr. Lamborne made a motion to approve the Journeyman Electrician applications for examination as presented (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. Wallace made a motion to approve the Electrical Contractor applications for examination as presented (a list available in the Board's official Book of Minutes). The motion was seconded by Mr. Custred and unanimously approved by the Board.

The next regularly scheduled meeting of the Board is scheduled September 11, 2017 at 10:00 a.m. The Board discussed rescheduling the meeting and agreed to poll the members about a meeting date.


The Board discussed handyman service as being a legitimate city license under the Revenue Code. Ms. Coody commented on handyman services as it related to the Board-approved proposed changes to the Board's statute.

There was no further business of the Board and Mr. Lamborne made a motion to adjourn the meeting. The motion was seconded by Mr. Wallace and Mr. Stutts adjourned the meeting at 11:50 a.m.

Respectfully submitted,



Jesse P. Stutts, III  
*Board Chair*



Keith E. Warren  
*Executive Director*

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