



State of Alabama  
**The Alabama Board of Electrical Contractors**

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**MINUTES**  
**Board Meeting**  
**September 14, 2015**

The Alabama Board of Electrical Contractors met on Monday, September 14, 2015 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 (Chair), Mr. Mark Lamborne (Vice Chair), Mr. Ron Weaver, Mr. Richard Meadows, Mr. Bruce Taylor, Mr. Mike Custred and Mr. Gary Reaves. Members not in attendance were Mr. Jeremy Vinson and Mr. Chuck Turner. Also in attendance were Mr. Randy Barrows (Administrator), Ms. Hendon Coody (General Counsel), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren, Executive Director).

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 regularly scheduled meeting was advertised on the Board's web site, [www.aecb.alabama.gov](http://www.aecb.alabama.gov), and the Secretary of State's website, [www.sos.state.al.us](http://www.sos.state.al.us), in accordance with requirements of the Alabama Open Meetings Act.

The minutes from the July 13, 2015 regularly scheduled meeting were presented for approval. The Board members were provided a copy of the minutes prior to the meeting for their review. Mr. Lamborne made a motion to approve the July minutes as presented. The motion was seconded by Mr. Reaves and unanimously approved by the Board.

Mr. Barrows presented the Executive Director's Report that included a detailed report of expenditures and revenue as of August 31, 2015. Mr. Barrows reported on the number of active and inactive licensees, along with the number of complaints received to-date during FY 2015 (report filed for viewing in the Board's official Book of Minutes). Mr. Weaver made a motion to accept the financial report as presented. The motion was seconded by Mr. Taylor and unanimously approved by the Board.

The Board discussed the inconsistent reporting to the Board when a licensee had passed away/deceased. Mr. Barrows stated that the license would then be listed as inactive in the licensee database and on the Board's website.

Mr. Stutts presented a document submitted by a licensee that solicited services to provide annual minutes for corporations. Ms. Reames explained that the licensee had assumed the communication was from State government and paid \$150 as indicated. The Board discussed whether this matter should be referred to the Attorney General's Office or police based on their

concerns about individuals who receive the communication may be misled by its format and content and not realize that this was a solicitation from a business and not a department of State government. Mr. Weaver made a motion for the Executive Director to follow-up on identifying the service and if necessary to report to legal authorities. The motion was seconded by Mr. Meadows and unanimously approved by the Board.

Mr. Stutts deferred discussion about the recent Sunset Committee meeting until later in the Board meeting.

Ms. Coody presented the General Counsel Report. She reported that 13 cases had been closed and 15 letters of concern or cease and desist letters had been sent to respondents in these cases.

Ms. Coody presented protocols for course of action based on the nature of complaints and subsequent investigation of these cases:

- (1) when no public harm was evident in cases where the individual was not licensed and no previous complaint against them, a cease and desist letter would be issued;
- (2) in cases of public harm by a license or non-licensed individual or when a previous complaint had been filed, a cease and desist letter would be issued and a \$500 fine assessed;
- (3) in cases of negligence and public harm by either a non-licensee or licensee, a notice of administrative hearing would be issued.

Ms. Coody reported that the respondent in case #2015-001 had previously received a cease and desist letter from the Board and assessed a fine of \$500, which had not been paid. She explained that in this case, there was no harm to the public evident and she recommended that this case be closed since it was the first complaint against the respondent. She also stated that the Board had not received any reports that the respondent was continuing to work. Mr. Lamborne made a motion to withdraw the assessment of a fine, based on the new protocols recommended by Ms. Coody as a first complaint and no public harm, and to close the case. The motion was seconded by Mr. Weaver and unanimously approved by the Board.

Ms. Coody reported on case #2015-003 and indicated that the respondent had agreed to forgo an administrative hearing and pay the fine. She reported that the respondent has been making installment payments and is interested in applying to take the examination for licensing.

Ms. Coody completed her report by indicating that that six (6) complaint cases were under investigation.

Mr. Lamborne reported on local permitting of an organization to build churches and the Board discussed the requirement that a state licensed electrical contractor supervise the work.

Mr. Barrows requested the Board review their motion about not approving any positive action for an individual who had an outstanding disciplinary fine, etc. The Board discussed the restrictive action in cases where fines were assessed and installment payments were being made on a timely basis (not delinquent). Mr. Meadows made a motion to amend the current procedure to include the exception when a payment plans was approved and payments were current, then the licensee would be eligible to renew their license. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Mr. Stutts reminded the Board members about the Sunset Committee report concerning defining provisional licensees and he indicated that this matter would be deferred to the next Board meeting.

Mr. Stutts also deferred the NERA Report to be presented by Mr. Warren until the next Board meeting.

Mr. Barrows reported that the Continuing Education Providers notify the Board by October 1<sup>st</sup> of each year and submit a Provider fee of \$250 to remain an active CE Provider.

Mr. Barrows submitted one new CE Provider application for the Board's approval. Mr. Weaver made a motion to approve Metropolitan Community College's application as submitted. The motion was seconded by Mr. Lamborne and unanimously approved by the Board.

Mr. Reaves made the motion to approve the Reciprocity applications as presented (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.

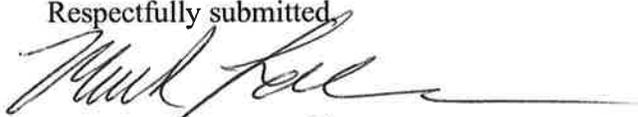
Mr. Lamborne made a motion to approve the Journeyman applications for examination and the Electrical Contractor applications for examination as presented (a list available for viewing in the Board's official Book of Minutes). The motion was seconded by Mr. Custred and unanimously approved by the Board.

Mr. Barrows presented a petition for continuing education hours from licensee #DAPE1760 for the Board's review and approval. Mr. Meadows made a motion to approve the twelve (12) CE hours submitted by the licensee. The motion was seconded by Mr. Weaver and unanimously approved by the Board.

The next regularly scheduled meeting of the Board is scheduled November 2, 2015 at 10:00 a.m.

There was no further business of the Board and Mr. Stutts adjourned the meeting at 11:08 a.m.

Respectfully submitted,



Mark Lamborne  
*Vice Chair*



Keith E. Warren  
*Executive Director*

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