

ELECTRICIANS' EXAMINING BOARD OFFICIAL MEETING MINUTES

Meeting Date: February 16, 2024

Meeting Location: Office of Professional and Occupational Regulation, 76 Northern Ave., Gardiner

Time Meeting Scheduled to Begin: 9:00 a.m.

CALL TO ORDER – 9:01 a.m.

Members present:

Brian McDougal, Chair (remote)
Peter Wilson
George Howe (remote)
Joshua Baston

Members absent:

Charles Daigle

Staff Present:

Karen Ross, Interim Board Manager
Peter Holmes, Executive Director
Matthew Fournier, Board Staff
Kern Butler, Senior Electrical Inspector

AAGs Present:

John Belisle, Assistant Attorney General

I. AGENDA MODIFICATIONS AND APPROVAL

A motion was made to accept the agenda, as presented.

Motion: Peter Wilson

Second: Josh Baston

Voted 4 in favor, none opposed, motion carried.

II. MINUTES REVIEW AND APPROVAL

a. A motion was made to accept the meeting minutes from January 19, 2024, as written.

Motion: Peter Wilson

Second: Josh Baston

Voted 4 in favor, none opposed. Motion carried.

III. PRESENTATION OF PROPOSED CONSENT AGREEMENT – Hearing Officer Rebekah Smith

a. 2022-ELE-18524 Matthew Brackley. The Board set this for hearing and to offer a Consent agreement with a strong warning.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

IV. ADJUDICATORY HEARING

a. 2023-ELE-18522 – Theodore Ray

On the First Count – Failure to pay the Civil Penalty of \$250 as outline in the prior Decision & Order. The Board found that the licensee did not comply with the Decision & Order and did not make payment.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

On the Second Count – Failure to complete the 45-hour NEC Codes Class as outlined in the prior Decision & Order. The Board found the licensee had not complied with the prior Decision & Order.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

The Board moved to deny the renewal of the license application remitted by Mr. Ray and issue a Decision & Order that outlines Mr. Ray may re-apply for an electrical license when board staff has received confirmation that he has completed the 45-hour NEC 2020 code class and has remitted a payment of the \$250.00 to satisfy the original Decision & Order sanction.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

V. COMPLAINT PRESENTATIONS

a. 2023-ELE-19394

A motion was made to dismiss the complaint based on a lack of evidence of any violation of the Board's laws of rules.

Motion: Peter Wilson
Second: George Howe
Voted 4 in favor, none opposed. Motion carried.

b. 2023-ELE-19578

A motion was made to dismiss the complaint and to turn the matter over to the Attorney General for unlicensed practice.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

c. 2023-ELE-19624

A motion was made to set the matter for a hearing and offer a consent agreement with a warning.

Motion: Peter Wilson
Second: George Howe
Voted 4 in favor, none opposed. Motion carried.

d. 2023-ELE-19625

A motion was made to dismiss the complaint as there was no evidence of violations to the Boards Laws & Rules.

Motion: Peter Wilson
Second: George Howe
Voted 4 in favor, none opposed. Motion carried.

e. 2023-ELE-19633

A motion was made to dismiss the complaint as there was no evidence of violations to the Board's Laws & Rules.

Motion: Peter Wilson
Second: George Howe
Voted 4 in favor, none opposed. Motion carried.

f. 2023-ELE-19673

A motion was made to dismiss the complaint as there was no evidence of violations to the Board's Laws & Rules.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

VI. LICENSE APPLICATION REVIEW

a. Nathan Lyons – Journeyman-In-Training License

A motion was made to issue a preliminary denial for the JIT license and offer a Consent Agreement with a letter of warning for the 10/day reporting violation, with a \$100 penalty for failing to report. The Board is giving Mr. Lyons 6 months to remit payment. The Board will consider the granting of the license after the payment is received and the consent agreement signed.

Motion: Peter Wilson
Second: Joshua Baston
Voted 4 in favor, none opposed. Motion carried.

VII. EXAMINATION APPLICATIONS

a. Claude Poba Mavungu – Master Examination

A motion was made to deny the applicant the master exam approval until evidence can be shown that he has taken and completed the 45/hour 2020 or 20203 NEC code course.

Motion: Peter Wilson
Second: Josh Baston
Voted 5 in favor, none opposed. Motion carried.

VIII. CONTINUING EDUCATION PROVIDER APPLICATION

A motion was made to table this application until Board Members have had the opportunity research the company, the testing questions and platform.

Motion: Peter Wilson
Second: Josh Baston
Voted 4 in favor, none opposed. Motion carried.

IX. STATE ELECTRICAL INSPECTOR'S REPORT

X. BOARD MANAGER'S REPORT

XI. BOARD CHAIR PRESENTATION

XII. OPPORTUNITY FOR PUBLIC COMMENT

XIII. ADJOURN

A motion was made to adjourn the meeting. The meeting adjourned at 12.56p

Motion: Joshua Baston

Second: Peter Wilson
Voted 4 in favor, none opposed. Motion carried.