



NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

NEWSLETTER

JANUARY 2005

EDITION #47

NEW FIELD REPRESENTATIVE & EXAMINATIONS COORDINATOR EMPLOYED

The Board is pleased to announce the employment of William "Al" Parris in the position of Field Representative & Examinations Coordinator effective July 12, 2004. Al came to the Board from the City of Rocky Mount where he was employed as an Electrical Inspector for over seven years. He also taught electrical courses at Wilson Community College. Prior to his employment with the City of Rocky Mount, Al worked as a maintenance electrician for Wilson County Schools and was a manager for an electrical contractor licensee of the Board.

Al is fully qualified for a North Carolina Electrical Contracting license in the Unlimited classification and he also holds Standard Level III Certification from the North Carolina Code Officials Qualifications Board in Electrical, Building, Mechanical and Plumbing.

Al is assigned to the Central Region of the state and working from the Board's office in Raleigh. He is anxious to render the best possible service in his new duties with the Board and he, along with the Board and members of the staff, solicit your continued cooperation and assistance as he takes on his new duties.

Please see another article in this Newsletter, which contains details on our Field Staff and assigned areas.

RECIPROCITY AGREEMENT

The Board is pleased to announce that a Reciprocal Agreement has been adopted with the *Louisiana State Licensing Board for Contractors*. The Agreement, effective September 23, 2004, provides for the waiver of examination for eligible licensees applying for a license in the other State.

Under the Agreement, North Carolina UNLIMITED licensees are eligible to apply to the Louisiana Board for an Unlimited license and Louisiana UNLIMITED licensees are eligible to apply to the North Carolina Board for an Unlimited license.

Any North Carolina UNLIMITED licensee interested in obtaining a Louisiana license under this agreement should contact the Louisiana State Licensing Board of Contractors, PO Box 14419, Baton Rouge, LA 70898-4419, Telephone 225-765-2301.

For your reference, the North Carolina Board also has Reciprocal Agreements with the following states: *Alabama, Florida, Georgia, Mississippi, South Carolina, Virginia and West Virginia*.

Electrical Contractors Newsletter

Published semi-annually as a service to electrical contractor licensees and others in the electrical industry. Suggestions for articles of interest for publication in this newsletter are welcome.

North Carolina State Board of Examiners
of Electrical Contractors
3101 Industrial Drive, Suite 206
P. O. Box 18727
Raleigh, NC 27619-8727
Telephone: (919) 733-9042
Fax: (919) 733-6105
Website: www.ncbeec.org
Michael F. Easley, Governor

BOARD MEMBERS

Dr. Jim Clark, Jr.
Burlington, NC
Chairman

Curtis R. Kennedy
McLeansville, NC
Vice Chairman

Tim Bradley
Raleigh, NC
Dr. Tony L. Mitchell
Cary, NC
Jerry L. Tucker
Archdale, NC
Roy A. Wilson
Newton Grove, NC
Larry L. Woodall, III
Durham, NC

STAFF MEMBERS

Robert L. Brooks, Jr.
Executive Director

William Al Parris
Examinations Coordinator & Field
Representative/Investigator

Robert H. Lawson
Field Representative/Investigator

Jesse H. Skinner
Field Representative/Investigator

Curtis Max Thompson
Field Representative/Investigator

Epsie D. Stevens
Office Manager

Michelle A. Ames
Examinations Processing Coordinator

Robert C. Bissette
Continuing Education Coordinator

Tonya M. Lynch
Receptionist & Licensing Assistant

OFFICERS ELECTED

During its June, 2004, Regular Fourth Quarter Board Meeting, the Board elected officers to begin serving effective July 1, 2004. The Board re-elected Dr. Jim Clark, Chairman and Curtis R. Kennedy, Vice Chairman.

Dr. Clark is the Governor's public member appointee representing the interest of the public at large pursuant to NCGS 87-39. In May 2004, Governor Easley reappointed Dr. Clark to the Board for a seven year term expiring June 30, 2011.

Dr. Clark is recently retired from Guilford County Schools.

Mr. Kennedy served as the Executive Director of the State Board of Examiners of Electrical Contractors from February 1, 1970 until his retirement on July 1, 1985. He is a public member appointee representing the interest of the public at large pursuant to NCGS 87-39.

Mr. Kennedy's term on the Board will expire June 30, 2007.

COMMITTEES APPOINTED

Dr. Jim Clark, Board Chairman has appointed Board Committees for the 2004-05 fiscal year as follows:

FINANCE COMMITTEE:

Jerry L. Tucker, Chairman, and Tim Bradley.

RULES COMMITTEE:

Tim Bradley, Chairman, Curtis R. Kennedy and Larry L. Woodall.

APPLICATION AND CONTINUING EDUCATION COMMITTEE:

Jerry L. Tucker, Chairman, Dr. Tony Mitchell and Roy A. Wilson.

EXAMINATION COMMITTEE:

Curtis R. Kennedy, Chairman, Dr. Tony Mitchell and Roy A. Wilson.

DISCIPLINARY COMMITTEE:

Larry L. Woodall, Chairman and Curtis R. Kennedy.

BOARD CONSIDERS RULE ON EXAMINATION WAITING PERIOD

The State Board of Examiners of Electrical Contractors is considering whether to amend Board Rule 21 NCAC 18B .0211. At present, an applicant who fails an examination must wait six months before taking an exam in the same classification. The Board is considering whether to reduce the delay for applicants who make a higher score. For example, the waiting period could be reduced to three months to take another examination in the same classification when the failed score is between 74 and 51. On the other hand, a person with a failing score of 50 or below would continue to have a six month waiting period; however, the time could be reduced to five months if the applicant completes an examination review supervised by the Board.

The Board is also considering whether a person who has failed the examination in the same classification three times should be required to obtain more education on the electrical code before taking the exam again. While examining the exam waiting period, the Board may consider rules on the process for handling grading questions, and carry out a general review of its rules, policies and procedures.

Before any rule change is made, the Board will give notice and conduct a public hearing. We encourage your input and recommendations for further improvements. Let us hear from you. Please forward any suggestions or comments to Robert L. Brooks, Jr., Executive Director at P O Box 18727, Raleigh NC 27619 or brooks@ncbeec.org.

IN MEMORY

Christine H. Lewis

It is with deep sorrow that we inform you of the untimely death of Christine H. Lewis who died October 12, 2004.

Mrs. Lewis was employed by the Board for 24 years and retired on March 1, 1996. In her retirement years, she worked part time during the peak license renewal months and she continued to work at the NC Electrical Institute held each year at the Hilton in Raleigh. Mrs. Lewis was a very special person who was always there to serve the public and support the board and industry during her years of service. We were privileged to be co-workers and friends with her. Her family and many friends will truly miss Mrs. Lewis.

**THE NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL
CONTRACTORS WOULD LIKE TO WISH YOU LOTS OF LITTLE REASONS TO
CELEBRATE IN 2005!**

2005 NATIONAL ELECTRICAL CODE

The North Carolina State Building Code Council has voted to adopt the 2005 National Electrical Code as the State Electrical Code effective March 1, 2005. With this effective date, the Board's qualifying examinations will be based on the 2002 National Electrical Code until June 30, 2005. *Effective July 1, 2005, the Board's examinations will be based on the 2005 National Electrical Code.*

The Board has the 2005 National Electrical Code book (soft-bound cover) in stock. The code books are available to examinees, licensees, inspectors and others who may wish to purchase copies at discounted prices.

The Board's 2005 National Electrical Code book price schedule is as follows:

| QUANTITY | PER COPY |
|------------|----------|
| 1-19 | \$54.00 |
| 20 OR MORE | \$48.00 |

PRICES INCLUDE SALES TAX, SHIPPING & HANDLING

An Order Form for the 2005 National Electrical Code is included in this Newsletter.



**ORDER FORM
2005 NATIONAL ELECTRICAL CODE BOOKS**

THE 2005 NEC BOOKS (SOFT-COVER) ARE AVAILABLE FOR PURCHASE FROM THE BOARD'S OFFICE. MAKE CHECK OR MONEY ORDER PAYABLE TO: STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS. **MAIL TO:** P. O. BOX 18727, RALEIGH, NC 27619-8727. THE BOARD'S PRICE SCHEDULE IS AS FOLLOWS:

| QUANTITY | PER COPY |
|----------------------------|----------|
| 1-19 | \$54.00 |
| 20 OR MORE | \$48.00 |
| Licensee Special-All Books | \$48.00 |

(PRICE INCLUDES SALES TAX, SHIPPING & HANDLING).

QUANTITY: _____ LICENSE NUMBER: _____

NAME: _____

ADDRESS: _____

CITY _____ STATE _____ ZIP _____

METHOD OF PAYMENT: CHECK MONEY ORDER VISA MASTERCARD

Card # _____ Exp. Date _____

Name on Card _____ Signature _____

INDUSTRY ANNOUNCEMENTS

ECC MERGER DISSOLVED

The Board of Directors of the North Carolina Association of Electrical Contractors (NCAEC) has announced its decision to dissolve the merger of NCAEC and the Carolinas Association of Electrical Contractors (CECA) that formed the trade association known as Electrical Contractors of the Carolinas, Inc. (ECC).

The NCAEC has signed on a new Executive Director. Terry Cromer was employed by the Association in December 2004. Terry was an electrical inspector employed by the City of High Point until his retirement in 2003. Following retirement, Terry has been an electrical instructor employed by the Winston–Salem/Forsyth County Schools. We hope for much success to Terry in his new position.

For more information and membership details, please contact the Associations as follows:

CECA
3705 Latrobe Drive, Suite 340
Charlotte NC 28211
Telephone 704-365-4016

NCAEC
3707 Alliance Drive
Greensboro NC 27407
Telephone 336-854-8354

SMALL BUSINESS RESOURCE GUIDE CD ROM FROM INTERNAL REVENUE SERVICE

The 2004 Small Business Resource Guide CD ROM is now available. This year the guide has a new look, enhanced navigation features, "drop-down" menus to view topics, and a listing of CD related topics on the back panel of the cover.

This interactive CD highlights tax law changes for 2004 and includes all the business tax forms, instructions, and publications needed to successfully manage a business. The CD provides a wide variety of web links to various government agencies, business associations, and IRS organizations. The subscription option feature lets small business owners join the Small Business/Self-Employed Mail List to receive valuable information. In addition, the CD now has links to "Rate Our Products" and product update information on the [SB/SE Web site](http://www.irs.gov/businesses/small/index.html), www.irs.gov/businesses/small/index.html.

Copies of the resource guide can be [ordered online](#) or by calling (800) 829-3676. Identifying information is Publication 3207, Catalog Number 26757M.

2004 ELECTRICAL APPRENTICE CONTEST WINNER

Shannon O. Smith, Salem Electric Company, Winston-Salem, NC won first place in the 2004 North Carolina Electrical Apprentice Contest held October 20, 2004, at the NC State Fair, Raleigh, NC.

Congratulations Shannon!!!

2nd ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

Last year the Board presented Lloyd Maynard with the 1st Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2004 recipient of the "Instructor of the Year" Award. With your votes we will select an instructor who is dedicated and highly skilled and inspires others to learn.

The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education please submit the instructor's name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. The instructor with the most votes will be recognized at the North Carolina Electrical Institute meeting being held April 5-6, 2005 in Raleigh, NC.

If you would like to participate, please detach and complete the nomination form below or notify us by email: bissette@ncbeec.org. If you use this form please cut on the dotted line and return it to the Board's office. The address is:

N. C. State Board of Examiners of Electrical Contractors
P. O. Box 18727
Raleigh, NC 27619

You must submit your vote to the Board's office by February 28, 2005.

Thank you for your participation.

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CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

I would like to make the following nomination for the 2004 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: _____

SPONSOR NAME: _____

NOMINATED BY: _____

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DATES AHEAD

2005 NC ELECTRICAL INSTITUTE

The NC Electrical Institute will be held at the North Raleigh Hilton, Raleigh, NC, April 5-6, 2005. For detailed information, contact Ron Chilton, Telephone 919/661-5880 ext. 235.

2005 CECA ANNUAL CONVENTION

The Carolinas Electrical Contractors Association will hold its Annual Convention at the Kingston Plantation, Myrtle Beach, SC, June 10-12, 2005. For detailed information, contact the CECA office, Telephone 704/365-4016.

2005 NCAEC ANNUAL CONVENTION & TRADESHOW

The NC Association of Electrical Contractors will hold its Annual Convention & Tradeshow at the Sheraton, Atlantic Beach, NC, July 14-17, 2005. For detailed information, contact the NCAEC office, Telephone 336/854-8354.

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**ORDER FORM
BUSINESS AND PROJECT MANAGEMENT FOR CONTRACTORS
NORTH CAROLINA ELECTRICAL CONTRACTORS' EDITION**

PLEASE USE THIS FORM TO PURCHASE YOUR BUSINESS AND PROJECT MANAGEMENT FOR CONTRACTORS-NORTH CAROLINA ELECTRICAL CONTRACTORS' EDITION. THE COST IS **\$30.00** PER COPY. MAKE CHECK OR MONEY ORDER PAYABLE TO: STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS. **MAIL TO:** P. O. BOX 18727, RALEIGH, NC 27619-8727.

QUANTITY _____

NAME: _____

ADDRESS: _____

CITY _____ **STATE** _____ **ZIP** _____

METHOD OF PAYMENT: CHECK MONEY ORDER VISA MASTERCARD

Card # _____ Exp. Date _____

Name on Card _____ Signature _____

ANNUAL REPORT OF STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

FISCAL YEAR JULY 1, 2003 – JUNE 30, 2004

| | |
|--|---------------|
| Number of persons who applied to Board for examination | 2377 |
| Number of applications returned to sender because they were not duly filed | <u>915</u> |
| Number who were refused examination | <u>0</u> |
| Number who cancelled or withdrew application | <u>282</u> |
| Number who took examination | <u>1180</u> |
| Number to whom initial licenses were issued (including reciprocity) | <u>485</u> |
| Number who applied for licenses by reciprocity or comity | <u>148</u> |
| Number who were granted licenses by reciprocity or comity | <u>148</u> |
| Number of licensees placed under probation | <u>2</u> |
| Number of licenses suspended or revoked | <u>2</u> |
| Number of licenses terminated for any reason other than failure to pay the required renewal fee (Deceased during 2002-2003 fiscal year) | <u>6</u> |
| TOTAL number of active licenses as of 6/30/2004 | <u>14,281</u> |
| COMPLAINT REPORT JULY 1, 2003 – JUNE 30, 2004 | |
| Complaints Received: | |
| Written | 149 |
| Telephone | 3 |
| In Person | 2 |
| Faxed | 15 |
| TOTAL | <u>169</u> |
| Complainant: | |
| Owner | 61 |
| General Public (Other than owner) | 10 |
| Inspector | 49 |
| Licensee | 28 |
| Board's Staff | 10 |
| Other | 8 |
| TOTAL | <u>169</u> |
| Complaints Registered Against: | |
| Licensee | 88 |
| Non-licensee | 81 |
| TOTAL | <u>169</u> |
| Nature of Complaints: (One complaint may be listed in more than one category) | |
| Violation of licensing law | 103 |
| Violation of Board's Rules & Regulations | 10 |
| Inspection - Permits | 39 |
| Financial disagreement | 16 |
| Contractual disagreement | 7 |
| Electrical code violation | 30 |
| Incomplete work | 24 |
| Other | 20 |
| STATUS OF COMPLAINTS RESOLVED: (One complaint may be listed in more than one category) | |
| Licensees placed on probation | 2 |
| License suspension or revocation | 2 |
| Reprimand (Only) | 5 |
| Warning | 72 |
| Civil penalty under G.S. 87-47 (a3) & reprimand/probation | 9 |
| Court litigation | 5 |
| Disciplinary Hearings to determine charges against licensees | 18 |
| Complaints investigated and dismissed as unfounded or trivial | 30 |
| Complaints of non-licensed work investigated and dismissed as not violations | 7 |
| TOTAL RESOLVED | <u>139</u> |
| TOTAL PENDING | <u>30</u> |
| TOTAL COMPLAINTS | <u>169</u> |

KNOW YOUR FIELD REPRESENTATIVE / INVESTIGATOR

The Board currently employs four Field Representative/Investigators for the State of North Carolina responsible for performing administrative and investigative work. You are invited to contact your area representative for any assistance or services that we may provide.

EASTERN REGION

Jesse H. Skinner

Telephone: 252-243-5397
Pager: 1-877-905-9477
Email: skinner@ncbeec.org
Fax: 252-243-0976

CENTRAL REGION

William A. Parris

Telephone: 919-733-2952
Pager: 252-498-1205
Email: aparris@ncbeec.org
Fax: 919-733-6105

PIEDMONT REGION

Curtis Max Thompson

Telephone: 919-563-9535
Pager: 1-888-361-5128
Email: mthompson@ncbeec.org
Fax: 919-563-9535

WESTERN REGION

Robert H. Lawson

Telephone: 336-982-3731
Pager: 1-800-333-2337
Enter #977-4243
Email: lawson@ncbeec.org
Fax: 336-982-3731

COUNTY ASSIGNMENT

BEAUFORT
BERTIE
BRUNSWICK
CAMDEN
CARTERET
CHOWAN
CRAVEN
CURRITUCK
DARE
DUPLIN
EDGECOMBE
GATES
GREENE
HALIFAX
HERTFORD
HYDE
JONES
LENOIR
MARTIN
NEW HANOVER
NORTHAMPTON
ONSLow
PAMLICO
PASQUOTANK
PENDER
PERQUIMANS
PITT
TYRRELL
WASHINGTON
WAYNE
WILSON

COUNTY ASSIGNMENT

BLADEN
COLUMBUS
CUMBERLAND
FRANKLIN
HARNETT
JOHNSTON
NASH
ROBESON
SAMPSON
VANCE
WAKE
WARREN

COUNTY ASSIGNMENT

ALAMANCE
ANSON
CABARRUS
CASWELL
CHATHAM
DAVIE
DAVIDSON
DURHAM
FORSYTH
GRANVILLE
GUILFORD
HOKE
LEE
MECKLENBURG
MONTGOMERY
MOORE
ORANGE
PERSON
RANDOLPH
RICHMOND
ROCKINGHAM
ROWAN
SCOTLAND
STANLY
STOKES
UNION

COUNTY ASSIGNMENT

ALEXANDER
ALLEGHANY
ASHE
AVERY
BUNCOMBE
BURKE
CALDWELL
CATAWBA
CHEROKEE
CLAY
CLEVELAND
GASTON
GRAHAM
HAYWOOD
HENDERSON
IREDELL
JACKSON
LINCOLN
MACON
MADISON
McDOWELL
MITCHELL
POLK
RUTHERFORD
SURRY
SWAIN
TRANSYLVANIA
WATAUGA
WILKES
YADKIN
YANCEY

NON-LICENSEE – WARNING AFFIDAVITS & VERBAL WARNINGS

Staff obtains by consent a warning affidavit or issues a verbal warning in connection with unlicensed individuals offering to engage or engaging in electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina. The North Carolina Electrical Contracting Licensing Laws, specifically General Statutes 87-43, 87-43.1 and 87-48 has been explained to each individual listed below. Staff obtained by consent a sworn warning affidavit signed by the unlicensed individual or verbal assurance from the unlicensed individual stating that they will refrain from engaging or offering to engage in any electrical contracting in the State of North Carolina until such time they have qualified and obtained an electrical contracting license from the Board.

| Name | City | File Number |
|---------------------------|--------------------|--------------------|
| Joseph Andre' Chouteau | Charlotte, NC | 2003-112 |
| Harold Wayne Rogers Jr. | Thomasville, NC | 2003-100 |
| Vincent Michael Marchello | Raleigh, NC | 2003-114 |
| Norman Lewis Rogers | Emerald Island, NC | 2003-120 |
| David Bruce Dingess | Emerald Island, NC | 2003-122 |
| Roger Hornback | Forest City, NC | 2003-115 |
| Michael Mooney | Asheville, NC | 2003-116 |
| Jeffrey Polston | Winston-Salem, NC | 2003-119 |
| Charlie Long | Burlington, NC | 2003-121 |
| Rennie Breeden | Charlotte, NC | 2003-130 |
| David Wesley Broadstreet | Kernersville, NC | 2003-117 |
| Jerry Clark Meadows | Buxton, NC | 2003-46 |
| Pamela Joy Roberson Perry | Williamston, NC | 2003-164 |
| Walter Clyde King | Greenville, NC | 2003-157 |
| Jimmy R. Lane | Roseboro, NC | 2004-2 |
| Michael Miller | Wilmington, NC | 2003-158 |
| Bryant David Chapin | Charlotte, NC | 2004-20 |
| Vincient Curcio | Charlotte, NC | 2004-18 |
| Scott McIntyre | Charlotte, NC | 2004-19 |
| Homer Walton | Hendersonville, NC | 2003-146 |
| Alan Thomas Tyndall | Charlotte, NC | 2003-147 |
| Mark Douglas Hefner | Hickory, NC | 2003-150 |
| Thomas Schlarb | Topton, NC | 2003-160 |
| Jeff Dellinger | Charlotte, NC | 2004-21 |
| Joseph Todd Linville | Kernersville, NC | 2004-15 |
| Michael Joseph Attinelli | Charlotte, NC | 2003-129 |
| Duke Power Company | Charlotte, NC | 2003-163 |

LICENSEE – PERMIT WARNING AFFIDAVITS & VERBAL WARNINGS

Staff obtains by consent a permit warning affidavit or issues a verbal warning in connection with permit and inspection requirements or other issues under the purview of the Board. The North Carolina Electrical Contracting Licensing Laws and Rules of the Board have been explained to each licensee representative and/or listed qualified individual below. Staff obtained by consent a permit warning affidavit signed by the licensee representative and/ or listed qualified individual or verbal assurance from the licensee representative and/or listed qualified individual stating that they will be in full compliance with the laws and rules applicable to electrical contracting. Licensee representative and/or listed qualified individual also acknowledges that further violations of this nature, if supported by evidence, could lead to formal proceedings against the licensee and listed qualified individual by the Board and to more serious sanctions against the license of the firm.

| Licensee | Qualified Individual | File Number |
|---------------------------------------|-----------------------------|--------------------|
| Ace Electric Company | Nick Sarantos Kaperonis | 2003-98 |
| Donnie S. Whitehurst Electric Service | Donnie S. Whitehurst | 2003-165 |
| W. H. English Electrical Contractor | William H. English | 2004-8 |
| J. E. Edwards Electric Inc. | James Earl Edwards | 2003-159 |
| Simpson Electric | Chad Simpson | 2003-156 |
| John Plyler | John Plyler | 2003-92 |

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Case File Number: 2003-24

Non-Licensee: Adrian Darcel Slade

Address: Route 1 (SR-1768)
Pantego, NC 27860

Violation: Engaging in the business of electrical contracting in violation of Court Order.

Court Action: Evidence was obtained by the Board showing Mr. Slade engaged in electrical contracting in violation of July 2, 1999 injunction by the Court. Proceedings were filed in Beaufort County Superior Court resulting in entry of a Contempt of Court Order on December 8, 2003, whereby Mr. Adrian Darcel Slade was ordered to spend 10 weekends in jail beginning January 9, 2004.

Effective Date: Dec 8, 2003

Case File Number: 2003-65

Non-Licensee: Andrew Priester

Address: Hill's Mobile Home Park, Lot #13
Jacksonville NC 28540

Violation: Engaging in the business of electrical contracting without being licensed to do so.

Court Action: Civil action instituted in Onslow County Superior Court resulting in entry of a Court Order on May 26, 2004, whereby Mr. Andrew Priester is permanently restrained from engaging in electrical contracting as defined in Article 4, Chapter 87, of the General Statutes of North Carolina, except at such time as licensed by the Board. The defendant was assessed with the costs of this action and informed that further violation would be punished as contempt of Court.

Effective Date: May 26, 2004

Case File Number: 2002-98
Non-Licensee: Arthur Lee Howard, d/b/a Power Services-Elc. Contractors, Inc
Address: 9029 Saint Stephens Place
Wilmington, NC 28412
Violation: Engaging in the business of electrical contracting without being licensed to do so.
Court Action: Civil action instituted in New Hanover County Superior Court resulting in entry of a Court Order on March 1, 2004, whereby Mr. Arthur Lee Howard is permanently restrained from engaging in electrical contracting as defined in Article 4, Chapter 87, of the General Statutes of North Carolina, except at such time as licensed by the Board. The defendant was assessed with the costs of this action and informed that further violation would be punished as contempt of Court.
Effective Date: March 1, 2004

Case File Number: 2001-26
Licensee: Daniel Lee Shearon
Address: 371 Pine Lake Road
Southport, NC 28461
Listed Qualified Individual: Daniel Lee Shearon
License Number: 23273-SFD
Violation(s): Respondent applied for reinstatement of license on June 30, 2004. The request was deferred pending consideration of a previous complaint in 2001 which questioned whether Respondent contracted or performed work while license was expired, without permit or inspection, received an advance payment and failed to complete the job.
At the hearing, the Respondent presented evidence that his license expired June 30, 2001, after the rough-in was completed, that he was incarcerated in July and August due to a domestic dispute, and that he did not work without license. Respondent admitted failure to obtain permit or inspection. Respondent denied being overpaid by the property owner and contended the actions of his former spouse caused the incarceration which caused him not to continue work did not amount to abandonment of the job.
Respondent also presented testimony that after expiration of license he had worked in South Carolina continuously. He presented a letters of support regarding the current stability in his life and his ability as an electrician.
The Board staff presented evidence of a substantial criminal record of several convictions during and prior to 2001.
Board Action: This matter was heard before the Disciplinary Committee of the Board, which recommended :
1. That the Respondent's license to engage in business as an electrical contractor be reinstated and that the license be placed on probation for a period of two (2) years, effective upon final action by the Board.
2. That during the period of probation, Respondent have written contracts or proposals for each installation, obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation within ten days of substantial completion, maintain job files, and
Present a letter to the Board from Reuben Moore, complainant, demonstrating that the dispute over \$500.00 initial payment has been resolved;
(e) present evidence to the Board that he has worked out a satisfactory arrangement for payment, by installment or otherwise, of the Default Judgment in favor of Milliken Investments, Inc., d/b/a Shallotte Electric Stores, and describe the arrangement;
(f) violate no provisions of the Statutes and Rules enforced by this Board; and

(g) fulfill all requirements for reinstatement of license including continuing education units and/or experience requirements during the last 12 months.

There was no objection from Mr. Daniel Lee Shearon and the Recommended order was approved by the Board as a Final Order.

Effective Date: September 15, 2004

Case File Number: 2003-107

Licensee: DAP Electrical, Inc.

Address: 2738 Stoneybrook Drive
Farmville NC 27828

Listed Qualified Individual: Derek Arnold Pate

License Number: 21130-L

Violation(s): Respondent holds license 21130-L. The Board issued a previous order, effective July 17, 2003, which placed Respondent on probation for a period of 12 months, requiring additional education within 6 months, and imposed other conditions. Respondent appealed the 2003 Board Order to Superior Court; however, the Order remained in effect at all times and the appeal was dismissed by the Court.

Respondent allowed his license to expire August 31, 2003, and did not renew until December 9, 2003. Respondent had no license between those dates.

The Board staff, in an Amended Notice of Hearing, alleged a lack of compliance with the prior Order of the Board, related to violations of the discipline statutes of the Board which allegations were denied by Mr. Pate.

The Respondent contended there is substantial evidence which contradicts the allegations of the Board staff and counsel and that discipline by the Board would be unjustified and unwarranted.

An administrative hearing was held on October 29, 2004, at 8:30 a.m., in the Board's office. The Amended Notice of Hearing and a negotiated Consent Order were presented..

The Respondent represented to the Board that DAP Electrical, Inc. is out of business, and that he has embarked upon a new career in the computer field and will no longer be involved in electrical contracting or installation. The Respondent and Board staff proposed that the Respondent be permitted to tender his license and status as a qualified individual and that the Board accept the tender in lieu of all further proceedings

Board Action: After deliberation, the Board voted to accept the Consent Order and Surrender of license and qualifier status effective immediately.

The Board retained complete discretion to grant or deny any future petition for reinstatement of license and to impose any conditions deemed necessary.

Effective Date: Oct 29, 2004

Case File Number: 2003-131, 2003-135, and 2003-137

Licensee: Aggressive Electrical Services

Address: 9910 Blackjack Drive
Sanford, NC 27330

Listed Qualified Individual: Don Stewart Wheeler and James Haywood Walton Jr. Owner.

License Number: 15781-L

Violation(s): Violation of North Carolina General Statute 87-47 (a1) (3) and(7)in that:

Mr. Wheeler was the qualified individual, but not a full-time employee of the company and unable to supervise and direct the work. The company and name actually belonged to Mr. Walton, who is not a Qualified

Individual. It is not permissible for Mr. Wheeler to qualify a part-time business under another individual's name and address. This activity constituted aiding and abetting an unlicensed person in contracting without license.

Board Action: Pursuant to G. S. 87-47 (a2) and (a3) and 21 NCAC 18B .0902, the Board's staff proposed a reprimand and one year probation. Further further violation of the General Statutes or Rules of the Board will result in a sixty (60) day suspension of license.

There was no objection from the licensee and the Board concurred in the action of staff.

Effective Date: September 15, 2004

Licensee: J. A. M. Electric

Address: 26 Pine Street
Granite Falls, NC 28630

Listed Qualified Individual: James Allen McClure

License Number: 17810-L

Violation(s): Respondent applied for reinstatement of license on April 3, 2004, reported a criminal conviction and submitted supporting documents in response to the Board's request. The evidence developed by the Board indicated that Respondent was convicted of assault with a deadly weapon with intent to kill, inflicting serious injury in January 1997, and served 96 months in prison.

Respondent completed his obligation to the Department of Corrections successfully and is no longer on parole.

The evidence indicates that the violent acts in Respondent's past are the result of conditions causing explosive outbursts and characterized as impulse control disorder and antisocial personality disorder.

Respondent and his wife produced evidence that the medical conditions can be and are being managed medically and that Respondent continues periodic monitoring by the Ashe County Health Department or New River Mental Health.

Board Action: This matter was heard before the Disciplinary Committee of the Board. After hearing from the licensee and counsel, the Committee recommended that:

1. The Respondent's license to engage in business as an electrical contractor be reinstated and that the license be placed on probation for a period of two (2) years, effective upon final action by the Board.
2. During the period of probation, Respondent shall comply with the following conditions of probation:
 - (a) commit no violation of the Certificate of Unconditional Discharge from the North Carolina Department of Correction, Past-Release Supervision and Parole Commission dated June 30, 2004, on the same basis as if the Discharge obligations continued in full force and effect;
 - (b) fulfill all requirements for reinstatement of license including continuing education units and/or experience during the last 12 months; and
 - (c) continue with medication as prescribed by New River Behavioral Healthcare for a minimum of twelve additional months.

There was no objection from Mr. James Allen McClure and the Recommended order was approved by the Board as a Final Order.

Effective Date: September 15, 2004

Case File Number: 2003-109

Licensee: Clark Electrical Contractor of Haw River

Address: 814 Roxboro Rd.
Haw River NC 27258

Listed Qualified Individual: Joseph Lloyd Clark

License Number: 12830-L

Violation(s): Violation of North Carolina General Statute 87-47 (a1) (5) and (7) in that:

1. During December 2003, Respondent entered into a contract to install an electrical system at a residence located at Graham, N.C., under contract with John David Clark, Sr. In the course of the project Respondent:

- (a) was paid for electrical contracting work that was not performed;
- (b) abandoned and failed to complete the project;
- (c) engaged or offered to engage in electrical contracting after license expired; and
- (d) remitted a check to the Board for renewal fee of his license which was returned marked "insufficient funds".

2. During July 2003, Respondent entered into a contract to install a stand-by generator at a residence located at 3722 Doe Lane, Haw River, N.C., under contract with Victoria Rende. In the course of the contract, Respondent:

- (a) was paid \$980.00, the entire contract price, for the electrical contracting work;
- (b) connected the generator and transfer switch with numerous code violations;
- (c) installed the transfer switch/panel combination in the 3 foot crawl space of the home, a damp location for which the equipment was not listed and labeled;
- (d) failed to ground the generator frame to a ground rod;
- (e) incorrectly wired and cut and spliced wiring;
- (f) improperly taped #12 wires to the main service 200 amp wiring lugs;
- (g) failed or refused to respond to service calls from homeowner;
- (h) failed to obtain a permit or inspection;
- (i) caused the homeowner to hire another contractor and pay an additional sum of \$1,491.26 to rewire the electrical connection of system; and
- (j) caused the second contractor to replace the transfer/panel due to wiring conversion which had voided the warranty.

Board Action: After a hearing before the Board Disciplinary Committee, the Committee recommended:

1. That the license of Respondent firm and the status of Respondent Joseph Lloyd Clark as a qualifying individual be placed on probation for a period of one (1) year.

2. That Mr. Clark comply with the following:

- (a) develop and have on hand written contracts signed by the Respondent and customer for each installation in excess of \$100.00 for which Respondent is responsible;
- (b) obtain permits as required for each contract prior to commencement of work;
- (c) maintain a job file for each job, containing the records of that project, including a copy of the contract and permit;
- (d) request inspection within 10 days of substantial completion, as to both the rough-in and final stage of the project;
- (e) maintain a service log of all contracts and service calls by date of initial call and including the date of first response;
- (f) enroll within six (6) months in a Contractor Business course sponsored by the Board, and also obtain 8 hours continuing education approved by the Board staff in technical courses related to generators, and present evidence to the Board of a passing grade in such courses in addition to the usual continuing education;
- (g) provide the Board with a receipt within 90 days showing restitution of \$980.00 to the homeowners, Mr. and Mrs. Rende ;
- (h) submit quarterly reports documenting his compliance ; and,
- (i) commit no violation of Article 4, Chapter 87 or the Rules of the Board.

There was no objection from Mr. Joseph Lloyd Clark and the Recommended order was approved by the Board as a Final Order.

Effective Date: December 16, 2004

Case File Number: 2003-76
Licensee: Mountaineer Electrical Services
Address: 761 Sandy Mush Road
Marshall, NC 28753
Listed Qualified Individual: Ricky Jay Reeves
License Number: 24265-L

Violation(s): The Board received a complaint that the Respondent had obtained license by submitting an employer statement form on December 29, 1998, purporting to have been signed by Ms. Linda Gail Reeves, President of Reeves Electric of Weaverville when, in fact, the form was not signed by Ms. Reeves, and Ms. Reeves had not been in business as an electrical contractor.

The Disciplinary Committee heard the matter. At the hearing Respondent presented reliable evidence from two witnesses to establish, independent of previous submissions, that he in fact had proper experience at the time he was allowed to take the examination.

4. The Committee noted that substantial portions of the dispute and complaint were related to ongoing domestic disputes among relatives of the Respondent and that such disputes are better resolved in the District Court.

Board Action: That a reprimand be entered on the license record of Respondent for failing to assure the accuracy and propriety of information submitted to the Board. There was no objection from the Respondent and the action was approved by the full Board.

Effective Date: June 9, 2004

Case File Number: 2003-42
Licensee: Shekinah Electric Company
Address: Post Office Box 2515
Reidsville NC 27320
Listed Qualified Individual: Scottie Mathews
License Number: 23038-L

Violation(s): Violation of North Carolina General Statute 87-47 (a1) (5), and (7) in that:

Respondent undertook to perform electrical contracting work on property located at 2509 North Battleground Avenue at Greensboro, North Carolina, and :

- (a) failed to perform and complete the electrical work although he was paid \$9,000.00, resulting in significant additional cost to the property owner;
- (b) abandoned and failed to complete the project resulting in the necessity to engage another electrical contractor to complete the project;
- (c) engaged or offered to engage in the business of electrical contracting using a name other than the name in which license was issued; and
- (d) failed to document the contract terms and the consequences of delay appropriately, and failed to calculate cost appropriately.

Board Action: This matter was heard before the Disciplinary Committee of the Board. After hearing from the licensee and counsel, the Committee recommended that:

1. the license of Respondent firm and the status of Respondent, Scottie Matthews as a qualifying individual be placed on probation for a period of two (2) years, effective upon final action by the Board, and beginning upon renewal of license by Respondent.
2. Respondent present evidence to the Board that he has returned \$3,000.00 to the property owner, within six (6) months of license reinstatement.
3. Respondent maintain a current address and telephone information on the records of the Board and notify the Board of any change as required by the Rules of the Board.

4. During the period of probation, Respondent shall comply with the following conditions of probation:
- (a) have written contracts or proposals signed by the licensee and customer for each installation in excess of \$100.00, with the contract to specify the scope of work, payment terms, and completion dates;
 - (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official;
 - (c) maintain job files ;
 - (d) obtain and review a current copy of the Construction Management Guide;
 - (e) renew license and operate in the same name;
 - (f) maintain records detailing and documenting compliance ; and
 - (g) commit no further violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from Mr. Mathews and the Recommended order was approved by the Board as a Final Order.

Effective Date: May 18, 2004

Case File Number: 2003-64

Non-Licensee: Steven Blount, d/b/a Blount's Home Improvement

Address: 1602 Kent Drive (Wilson Woods Apartment's)
Wilson NC 27893

Violation: Engaging in the business of electrical contracting without being licensed to do so.

Board Action: Civil action instituted in Wilson County Superior Court resulting in entry of a Court Order on May 5, 2004 whereby Mr. Steven Blount is permanently restrained from engaging in electrical contracting as defined in Article 4, Chapter 87, of the General Statutes of North Carolina, except at such time as licensed by the Board. The defendant was assessed with the costs of this action and informed that further violation would be punished as contempt of Court.

Effective Date: May 5, 2004

Case File Number: #2002-30

Licensee: Terry Dean Long

Address: Terry Dean Long
245 White Ave.

Wilmington, NC 28403

Listed Qualified Individual: Terry Dean Long

License Number: 15788-L

Violation(s): Request for reinstatement of license.

1. On September 24, 2003, the Board issued an Order revoking the license qualifications of Respondent Long, after hearing. The Order was based on Respondent falsely representing to the Board on renewal applications that he had not been convicted of a crime, been incarcerated or under probation or parole in the past 3 years.

2. The Respondent submitted a request to the Board for reinstatement of his license.

3. On May 6, 2004, the Disciplinary Committee of the Board heard statements of the Respondent and reviewed information as to his efforts and current success in addressing the underlying problems which led to the criminal convictions, misstatements to this Board and loss of license. The Respondent presented evidence from NCDHHS, Dr. Reuben Silver, Dr. Samuel Armitage, Dr. Ronald Rosen, that he has addressed the conditions of alcohol or substance abuse and is currently cured or in remission.

4. The Respondent also presented evidence of compliance with the provisions of the Order of the Board, of his

work activities now and in the future, of his understanding of his obligations to the public and this Board, and of the statutes and rules enforced by the Board.

Board Action: The Committee recommended that the license of Mr. Long be reinstated September 24, 2004 and that Respondent's license and qualifier status be placed on probation for three years, subject to the following conditions of probation:

- (a) present documentation to the Board when requested of his continued involvement with necessary treatment for alcohol and substance abuse to maintain sobriety;
 - (b) continue candor and truthfulness with this Board, and by extension the public;
 - (c) have written contracts or proposals signed by the licensee and customer for each installation in excess of \$100.00 for which licensee is responsible;
 - (d) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
 - (e) maintain job files or other written records of contracts made and installations performed;
 - (f) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
 - (g) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.
- There was no objection from Mr. Terry Dean Long and the Recommended order was approved by the Board on September 16, 2004 as a Final Order.

Effective Date: September 23, 2004

70-05 SB First Printing
70-05 LL First Printing

NFPA 70
Revisions for Print Version of NEC

Errata

NFPA 70

National Electrical Code®

2005 Edition

Reference: 2005 NEC®

The National Electrical Code Correlating Committee notes the following errors in the 2005 edition of NFPA 70, *National Electrical Code*.

How to Use this Errata Sheet

This is a list of errata to the first printing of the 2005 NEC ®. A first printing is indicated by the numeral 1 as the last digit in the line of number appearing at the bottom of the inside front cover.

- 1. Page 70-36 **110.26(A)(1):** Revise reference to “Table 110.26(A)(1)(1)” to read “Table 110.26(A)(1)”.
- 2. Page 70-47 **210.8(A):** Relocate text appearing at bottom of left-hand column that reads “Receptacles installed under the exceptions to 210.8(A)(5) shall not be considered as meeting the requirements of 210.52(G)” to the right-hand column following *Exception No. 3* to 210.8(A)(5).
- 3. Page 70-59 **220.14(K):** Revise reference “220.14” to “220.14(I)” ..
- 4. Page 70-73 **230.24(A):** Revise fourth exception to “*Exception No. 4*”.
- 5. Page 70-78 **230.72(B):** First sentence, revise word “ore” to “more”.

6. Page 70-91 **240.93 First paragraph & 240.93(A), (B), (C):** Delete entire text.
7. Page 70-126 **300.6(A):** First sentence, revise “listed” to “approved”.
8. Page 70-139 **Table 310.13:** Underground service entrance cable – single conductor, revise thickness of insulation “mils” column from 5 to 45
9. Page 70-150 **Table 310.64:** 25,001 to 28,000 volts, 1 AWG and 1/0AWG – 2000 kcmil, 100% insulation level, revise 2.80 mils to 280 mils.
10. Page 70-174 **Table 326.80:** Revise amperes value for 1750 kcmil from 344 to 315
11. Page 70-176 **330.10(B):** Revise 770.52 to 770.133.
12. Page 70-182 **336.104(C):** Revise Class I to Class 1.
13. Page 70-363 **502.150(A)(1):** Revise 502.100(A) to 502.10(A).
14. Page 70-374 **505.9(B)(1) Listing.:** Revise second sentence, “Equipment that is listed of for a Zone 1 location shall be permitted in a Zone 2 location of the same gas or vapor, provided that it is installed in accordance with the requirements for the marked type of protection.”
15. Page 70-386 **506.9(D) Exception No.2:** Revise “500.6(D) and Table 500.6(D)” to “500.8(B) and Table 500.8(B)”.
16. Page 70-444 **547.9(A)(2):** Revise 230.24(A) to 230.24.
17. Page 70-584 **760.8:** Add new Fine Print Note to read, “FPN: One source of information describing industry practices is ANSI/NECA 305-2001, *Standard for Fire Alarm System Job Practice*.”
18. Page 70-590 **760.81(C) FPN:** Revise second sentence, “Similarly, one method of defining fire-resistant cables is be by establishing a maximum allowable flame travel distance of 1.52 m (5 ft) when tested in accordance with the same test.
19. Page 70-591 **Table 760.81(G):** Revise 760.31 to 760.81 in three references.
20. Page 70-595 **770.179(A):** Revise title “Types OFND and OFCD” to “Types OFNP and OFCP.”
21. Page 70-613 **Table 820.113:** Revise reference for CATVX from “820.179(D) and 820.154(C)” to “820.179(D) and 820.154(D)”
22. Page 70-626 **Chapter 9, Table 4, Article 362 – Electrical Nonmetallic Tubing (ENT):** Add Trade Size “2” in second column.
23. Page 70-717 **Example D1(a):** Under “Minimum Feeder Size” revise “Range (see Table 220.19)” to “Range (see Table 220.55)”.
24. Page 70-722 **Example D4(b):** Under “Feeder Neutral Load for Feeder from Service Equipment to Meter Bank (For 20 Dwelling Units) revise “[see Table 220.55 and Table 220.61(B)]” to “[see Table 220.55 and 220.61(B)]”.
25. Page 70-681 **Table C.5:** Revise table heading from “CONDUCTORS” to “FIXTURE WIRES”
26. Page 70-686 **Table C.6:** Revise table heading from “CONDUCTORS” to “FIXTURE WIRES”
27. Page 70-726 **Annex E – Types of Construction:** Second paragraph, fourth sentence, revise “Type 1” to “Type I”.

Issue Date: December 24, 2004

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NATIONAL FIRE PROTECTION ASSOCIATION

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