



NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

NEWSLETTER

JANUARY 2012

EDITION #61

MESSAGE FROM THE CHAIR

A new year is here, and it is time to reflect on the past.

In my opinion and only my opinion we need to remember this saying in every day of our existence. It means taking responsibility and locking onto a great source of personal power. In fact, it is the key to changing our lives. We all want to achieve our dreams to be fulfilled and truly happy with whom we are. We have all at some time heard the term "Are you responsible for this?" Which usually means boy have I messed up. Who hasn't been accused of not acting like a responsible adult? If only being an adult implied accepting responsibility! Sadly, it does not always. There are many people who shy away from taking responsibility. They claim nothing is their fault and others are to blame for their misfortune. Responsibility is far more than a burden. It is liberating and puts you in charge of your life. Accepting it means taking a good hard look at your response to those around you. It means paying your debts and fulfilling your obligations. It means keeping your word. It means being able to act on your own and to be trusted to work on your own without someone standing over you. Most importantly it means being able to make your own moral and rational decisions, being reliable and trusted. It means being able to put your hand up and take the blame and to be able to say in the words made famous by Harry S. Truman, "The buck stops here. The future is always in your hands.

Donna Baxter, Chair

2011 ELECTRICAL APPRENTICE CONTEST WINNER

Mark Wolschleger, Watson Electrical Construction Co., LLC, Wilson NC won first place in the 2011 North Carolina Electrical Apprentice Contest held October 19, 2011, at the NC State Fair, Raleigh, NC.

Congratulations Mark!!!

REPORT ON ACTIVE LICENSES DECEMBER 2011

	As of 12/28/2011
Intermediate	500
Limited	7,769
Unlimited	3,265
SP-SFD	448
SP-FA/LV	877
SP-PH	338
SP-EL	51
SP-ES	54
SP-SP	9
SP-WP	41
Total	13,352



Happy New Year!

Electrical Contractors Newsletter

This newsletter is 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
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Raleigh, NC 27619-8727
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Fax: (800) 691-8399
Website: www.ncbeec.org
Beverly Perdue, Governor

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BOARD MEMBER NEWS

James W. Carpenter Appointed

Governor Beverly Perdue has appointed James W. Carpenter to the State Board of Examiners of Electrical Contractors succeeding Dr. Jim Clark. Mr. Carpenter's term will expire June 30, 2018.

He is the Governor's public member appointee representing the interest of the public at large pursuant to NCGS 87-39. Mr. Carpenter served as Chief Executive Officer/Executive Director of the International Association of Electrical Inspectors (IAEI) from June 2002 until his retirement on January 1, 2010 after forty seven and one-half years in the electrical industry.

Prior to his service at IAEI, Mr. Carpenter was employed by the NC Department of Insurance for twenty years, retiring in May 2002 while holding the position of Chief Electrical Engineer, State Electrical Inspector. Mr. Carpenter joined the NC Department of Insurance after ten years of employment with Durham County, NC as an Electrical Inspector. Prior to his employment with Durham County, NC, Mr. Carpenter worked ten years in the field as an apprentice electrician to project superintendent.



Mr. Carpenter and his wife Mary Anne live in Durham, NC. They have two children and two grandchildren.



Term Expires for Dr. Clark

The term of Dr. Jim Clark as a member of the State Board of Examiners of Electrical Contractors has recently expired.

Dr. Clark served on the Board from 2000-2011. He was Board Chairman 2003-2005 and 2006-2007.

The Board greatly appreciates the outstanding contributions made by Dr. Clark to the electrical industry and the citizens of North Carolina.

Julian Burns in the News

The Board is pleased to report that Board Vice Chairman Julian R. Burns has been appointed Chairman of Code-Making Panel 10 for the *National Electrical Code*. Mr. Burns' appointment was effective October 20, 2010 and he will preside over the Code-Making Panel Meetings for the 2014 *National Electrical Code*. Mr. Burns was also appointed Chairman of NFPA 790 Standard for Competency of Third-Party Field Evaluation Bodies as of October 2011.

We congratulate Mr. Burns on his selection to this important work.

This is a very important question that is not asked enough before starting a project. Electrical contracting is defined in the NC General Statutes Chapter 87 Article 4 Section 87-43, as **engaging** or **offering to engage** in the business of installing, maintaining, altering or repairing any electric work, wiring, devices, appliances or equipment.

The one main exception to this Statute is for persons or companies that repair cord and plug appliances or equipment do not require an electrical contracting license.

Today there are many jobs being bid that do require an electrical contracting license in North Carolina.

- I. If you are providing pricing for a Photovoltaic System and the installation is part of the price, you are offering to engage in electrical contracting and an electrical contracting license is required in one of the following classifications: Limited, Intermediate, or Unlimited. Also, SP-SFD license if electrical work is for a single family residential dwelling.
- II. If you are selling a Generator or UPS system and the pricing includes installation, you are offering to engage in electrical contracting and an electrical contracting license is required in one of the following classifications: Limited, Intermediate, or Unlimited. Also, SP-SFD license if electrical work is for a single family residential dwelling.
- III. If you are installing or servicing an elevator of any type; residential or commercial an electrical contracting license is required in one of the following classification; Limited, Intermediate, Unlimited or special restricted SP-EL. Also, SP-SFD license if electrical work is for a single family residential dwelling.

- IV. If you are connecting or servicing HVAC equipment or replacing water heaters and hold a proper Heating or Plumbing License you are required to hold at a minimum a special restricted SP-PH electrical license.
- V. If you install, maintain or repair groundwater (well) pumps as part of your groundwater (well) pump business you are required to hold at a minimum a special restricted SP-WP electrical contracting license.
- VI. A swimming pool contractor that also does the bonding of the pool and pool equipment must hold at a minimum a SP-SP electrical contracting license and this license does not permit any power wiring to the pool equipment.

These are only a few of the disciplines for which an electrical contracting license is required. If you have any questions about licensing requirements, please contact the Board's office prior to starting or offering to engage in a project that has electrical work as part of the scope.

For further information about any of the Special Restricted license classifications, visit the Board website at www.ncbeec.org under Laws and Rules, Title 21 NCAC 18B, Rule .0800.

BOARD EXAMINATIONS FOR LICENSE

The Board's qualifying examinations will continue to be based on the 2008 National Electrical Code until after the 2011 National Electrical Code effective date is announced.

Please check our website for updates on the 2011 National Electrical Code effective date and when the Board's qualifying examinations will be based on the 2011 National Electrical Code.

9th ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

Last year the Board presented Mr. Robin Lee Soots with the 8th Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2011 recipient of the "Instructor of the Year" Award. With your votes we will select an instructor who is dedicated, 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 3rd and 4th, 2012 in Raleigh, NC.

If you would like to participate, please detach and complete the nomination form below, notify us by email: aparris@ncbeec.org or vote on the Board's website at www.ncbeec.org under "Continuing Education" and "Instructor of the Year Award". 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 17, 2012.

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 2011 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: _____

SPONSOR NAME: _____

NOMINATED BY: _____

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LICENSE REQUIREMENTS

License Name Requirements

All electrical contracting business, including all business advertising and the submission of all documents and papers, conducted in the State of North Carolina by a licensee of the Board shall be conducted in the exact name in which the electrical contracting license is issued.

A licensee conducting any form of electrical contracting under a name other than the exact name in which the license is issued may be legally deemed to be doing so in violation of State law the same as though the firm has no license at all and is subject, not only to the penalties of law, but may not be entitled to collect for any electrical contracting work or services performed under such name. Reference: NCGS 87-43; NCGS 87-47; NCGS 87-48; 21 NCAC 18B .0402; and Court Cases: Builders Supply Co. vs. Midyette 274 NC 264; Construction Co. vs. Anderson, 5 NC Appl. 12; Vogue vs. Reed Supply Co., 277 NC 119; and Helms vs. Dawkins, NC Appl. 453.

Any licensee desiring to change the name in which the license is issued should contact the Board's office for proper forms and procedures.

STATE LAW – Licensing Requirements For Electric Sign Installations

The law mandates that all electrical wiring directly related to electric sign installations shall be installed by a duly licensed electrical contractor unless such electrical wiring is specifically exempted from this licensing requirement under the provisions of NCGS 87-43.1.

The laws of our State require that before any person, firm or corporation is entitled to **engage or offer to engage** in the business of installing, maintaining, altering or repairing **any** electric work, wiring, devices, appliances or equipment in North Carolina; such person, firm or corporation must first qualify and hold an electrical contracting license issued by this Board. License classifications that may engage or offer to engage in electrical wiring for electric sign installations are SP-ES (Special

Restricted Electric Sign) – established July 1, 1976, Limited, Intermediate or Unlimited.

The licensing law and Board Rules can be found on the Board website www.ncbeec.org under Laws & Rules. Click on Laws & Rules, Title 21 NCAC, .0800 and go to .0809 for the scope of work a SP-ES licensee is entitled to perform.

STATE LAW – Licensing Requirements For Swimming Pool Installations

The law mandates that, except for the installation of tie wires to bond structural reinforcing steel together and bolting or welding walls of pool structures together, all electrical, bonding and grounding work as required by the State Electrical Code (2008 National Electrical Code) for swimming pool installations shall be installed by a duly licensed electrical contractor unless such electrical, bonding and grounding work is specifically exempted from this licensing requirement under the provisions of NCGS 87-43.1.

The laws of our State require that before any person, firm or corporation is entitled to **engage or offer to engage** in the business of installing, maintaining, altering or repairing **any** electric work, wiring, devices, appliances or equipment in North Carolina; such person, firm or corporation must first qualify and hold an electrical contracting license issued by this Board. License classifications that may engage or offer to engage in the electrical, bonding and grounding work for swimming pool installations are SP-SP (Special Restricted Swimming Pool) – established March 1, 1983, Limited, Intermediate or Unlimited. Additionally, the SP-SFD (Special Restricted Single Family Dwelling) license classification is permitted to perform this work on swimming pools for single family residential dwellings.

The licensing law and Board Rules can be found on the Board website www.ncbeec.org under Laws & Rules. Click on Laws & Rules, Title 21 NCAC, .0800 and go to .0810 for the scope of work a SP-SP licensee is entitled to perform.

DATES AHEAD

2012 NC ELECTRICAL INSTITUTE

The NC Electrical Institute will be held at the North Raleigh Hilton, Raleigh, NC, April 3-4, 2012. For detailed information, contact Ron Chilton, Telephone 919/661-5880 ext. 235.

2012 NCAEC ANNUAL CONVENTION & TRADESHOW

The NC Association of Electrical Contractors will hold its Annual Convention & Tradeshow at the Atlantic Beach Sheraton, Atlantic Beach, NC, June 14-16, 2012. For detailed information, contact the NCAEC office, Telephone 336/854-8354.

2012 CECA ANNUAL CONVENTION

The Carolinas Electrical Contractors Association will hold its Annual Convention at the Hilton Head Marriott, Hilton Head, SC, June 21-24, 2012. For detailed information, contact the CECA office, Telephone 704/365-4016.

MOVED OR CHANGED JOBS?

21 NCAC 18B .0402 (c) requires all licensees to notify the Board in writing within 30 days of any change in location, mailing address, telephone number or email address.

Licensees may make contact updates using the form below. Your completed form may be sent by fax to 800-691-8399 or mail to PO Box 18727, Raleigh, NC 27619.

UPDATE YOUR CONTACT INFORMATION

You may notify the Board of any change in mailing address and telephone number. You can also add your e-mail and website address to your record. Please use this form to keep us informed. NOTE: Other recipients of this NEWSLETTER are requested to use this form to maintain a current address on file with the Board office.

Mail Completed Form to: State Board of Examiners of Electrical Contractors
P. O. Box 18727, Raleigh, NC 27619

(Please print or type) Name _____

License Number _____ Business Name _____

Business Mailing Address _____ City _____ State _____ Zip _____
(If using a P. O. Box, please complete the location address below)

Telephone _____ Cell Phone _____ Fax _____ E-mail _____

Business Location Address (if different from mailing address) _____

City _____ State _____ Zip _____

ORDER FORMS

2011 NATIONAL ELECTRICAL CODE BOOKS

THE 2011 NEC BOOKS (SOFT-COVER) ARE AVAILABLE FOR PURCHASE FROM THE BOARD'S OFFICE. PLEASE 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 DISCOUNT PRICE SCHEDULE IS AS FOLLOWS:

QUANTITY	PER COPY
1-9	\$70.00
10 OR MORE	\$64.00
Licensee Special-Any Quantity	\$64.00

QUANTITY: _____ LICENSE NUMBER: _____

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

RESIDENTIAL ADDRESS COMMERCIAL ADDRESS

METHOD OF PAYMENT: CHECK MONEY ORDER VISA MASTERCARD

Card # _____ Exp. Date _____

Name on Card _____ Signature _____

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**ORDER FORM
NASCLA CONTRACTORS GUIDE TO BUSINESS, LAW AND PROJECT MANAGEMENT
NORTH CAROLINA ELECTRICAL CONTRACTORS' EDITION**

PLEASE USE THIS FORM TO PURCHASE YOUR NASCLA CONTRACTORS GUIDE TO BUSINESS, LAW AND PROJECT MANAGEMENT-NORTH CAROLINA ELECTRICAL CONTRACTORS' EDITION. THE COST IS **\$45.00** PER COPY. PLEASE 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 _____

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

COURT CASES

CASE FILE NUMBER: 2010-142

NON-LICENSEE: Francis Joseph Lutz

ADDRESS: 9816-1 Emerald Point Drive
Charlotte, NC 28278

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Mecklenburg County Superior Court resulting in the entry of a Court Order on September 21, 2011 whereby Francis Joseph Lutz is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: September 21, 2011

CASE FILE NUMBER: 2010-205 and 2010-206

NON-LICENSEE: Joseph Allen Hill

ADDRESS: 286 Simpson Mill Road
Mount Airy, NC 27030

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Surry County Superior Court resulting in the entry of a Court Order on September 23, 2011 whereby Joseph Allen Hill is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: September 23, 2011

CASE FILE NUMBER: 2010-212

NON-LICENSEE: Gene Autry d/b/a Autry Heating & A/C Service

ADDRESS: 3121 E. Darden Road
Faison, NC 28341

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Duplin County Superior Court resulting in the entry of a Court Order on April 29, 2011 whereby Gene Autry d/b/a Autry Heating & A/C Service is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: April 29, 2011

CASE FILE NUMBER: 2010-227

NON-LICENSEE: Bobby Baker

ADDRESS: 617 Bakers Acres Lane
Wake Forest, NC

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on May 5, 2011 whereby Bobby Baker is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: May 5, 2011

CASE FILE NUMBER: 2010-230

NON-LICENSEE: Michael Dennis Meyer d/b/a Meyer Services, Inc.

ADDRESS: 1227 Newfound Road
Leicester, NC 28748

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Buncombe County Superior Court resulting in the entry of a Court Order on May 27, 2011 whereby Michael Dennis Meyer d/b/a Meyer Services Inc. is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: May 27, 2011

CASE FILE NUMBER: 2010-253

NON-LICENSEE: John Hunt and Rite-Way Services

ADDRESS: 10032 Kingsclere Drive
Cary, NC 27513

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on May 24, 2011 whereby John Hunt d/b/a Rite-Way Services is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: May 24, 2011

CASE FILE NUMBER: 2011-2

NON-LICENSEE: Jason J. Jarvis

ADDRESS: 392 Whisper Park Dr.
Wilmington, NC 28411
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in New Hanover County Superior Court resulting in the entry of a Court Order on June 30, 2011 whereby Jason J. Jarvis individually d/b/a Jarvis Heating & Cooling is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: June 30, 2011

CASE FILE NUMBER: 2011-12
NON-LICENSEE: Scotty Caroom and Excel Energy Group, Inc.
ADDRESS: 708 West B. Street
Russellville, AR 72223
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Catawba County Superior Court resulting in the entry of a Court Order on May 8, 2011 whereby Scotty Caroom d/b/a Excel Energy Group, Inc. is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: May 8, 2011

CASE FILE NUMBER: 2011-13
NON-LICENSEE: Michael Nelson Jenkins individually and d/b/a Shadow Heating & Air
ADDRESS: 670 Goble Road
Hiddenite, NC 28636
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Alexander County Superior Court resulting in the entry of a Court Order on September 9, 2011 whereby Michael Nelson Jenkins individually and d/b/a Shadow Heating & Air is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: September 9, 2011

CASE FILE NUMBER: 2011-24
NON-LICENSEE: Michael Grubb d/b/a Mike's Refrigeration
ADDRESS: 481 Audubon
Eden, NC 27288

VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Rockingham County Superior Court resulting in the entry of a Court Order on August 13, 2011 whereby Michael Grubb d/b/a Mike's Refrigeration is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: August 13, 2011

CASE FILE NUMBER: 2011-31
NON-LICENSEE: Douglas McCray Hines
ADDRESS: 500 Hayes Street
Selma, NC 27576
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Johnston County Superior Court resulting in the entry of a Court Order on September 19, 2011 whereby Douglas McCray Hines is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: September 19, 2011

CASE FILE NUMBER: 2011-38
NON-LICENSEE: Dennis W. Sechrist d/b/a Mayberry Heating & Air Conditioning
ADDRESS: 1107 West Pine Street
Mount Airy, NC 27030
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Surry County Superior Court resulting in the entry of a Court Order on June 27, 2011 whereby Dennis W. Sechrist individually d/b/a Mayberry Heating & Air Conditioning is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: June 27, 2011

CASE FILE NUMBER: 2011-64
NON-LICENSEE: James C. Frye and d/b/a Associated Construction Trades
ADDRESS: 3222 Land Harbor
Newland, NC 28657
VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Avery County Superior Court resulting in the entry of a Court Order on September 28, 2011 whereby James C. Frye individually and d/b/a Associated Construction Trades is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: September 28, 2011

CASE FILE NUMBER: 2011-84
NON-LICENSEE: Marvin Goodwin and Goodwin's Heating & Air
ADDRESS: 3001 Stanback Ferry-Ice Plant Rd.
Wadesboro, NC 28170

VIOLATION: Engaging in the business of electrical contracting without a license

COURT ACTION: Civil action instituted in Anson County Superior Court resulting in the entry of a Court Order on July 5, 2011 whereby Marvin Goodwin d/b/a Goodwin's Heating & Air is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: July 5, 2011

NOTICE OF VIOLATIONS

CASE FILE NUMBER: 2009-165
LICENSEE: Energy Erectors Inc.
ADDRESS: 31588 Progress Road
Leesburg, FL 34748
LISTED QUALIFIED INDIVIDUAL: Jason Stewart
Kangas
LICENSE NUMBER: 27968-U
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0907 and .0908 (c) in that the firm:
Failed to supervise and direct electrical contracting done by or in the name of Energy Erectors Inc. at an electrical project at UNC -Pembroke in that Jason Stewart Kangas, qualifier, was located in Las Vegas, NV while electrical work was performed.
BOARD ACTION: The Board, acting through its staff, proposed a reprimand and two (2) year probation, with six month (6) suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:
(1) Properly supervise and direct all employees and electrical projects; and
(2) Commit no further violation of Article 4, Chapter 87 of

the General Statutes or the rules of the Board
There was no objection from the licensee and the Board concurred in the action of staff.
EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-16
LICENSEE: Dolph & S. W. Silvers Construction
ADDRESS: 295 Saw Mill Hollow Rd.
Burnsville, NC 28714

LISTED QUALIFIED INDIVIDUAL: Steve Biddix
LICENSE NUMBER: 10234-L
VIOLATION(S): Violated General Statute 87-47 (a1) (7) in that the firm:

Installed electrical contracting work with violations of the State Electrical Code National Electrical Code on an electrical project located at 410 Bloody Fork Road, Burnsville NC. The electrical wiring installation had the following violations:

- (a) Improper use of UF Cable per Article 340 Section 340.12(1);
- (b) Circuit breakers not properly labeled per Article 200 Section 200.10;
- (c) Nonmetallic-sheathed cable entering panel box not protected per Article 300 Section 300.4(B) (1); and
- (d) Nonmetallic-sheathed cable damaged by improper stapling per Article 110.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand one (1) year probation, with one (1) year suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
- (2) Attend and pass Standard Level I Electrical Inspector Course approved by the NC Code Officials Qualifications Board.

There was no objection from the licensee and the Board concurred in the action of staff.
EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-68
LICENSEE: Jesse Klennon
ADDRESS: 220 Mansfield Street
Hendersonville, NC 28791

LISTED QUALIFIED INDIVIDUAL: Jesse Donald Klennon
LICENSE NUMBER: 28573-L
VIOLATION(S): Violated General Statute 87-47 (a1) (3) and (7) in that the firm:

- (1) Aided or abetted unlicensed activity by allowing Donald A. Owens Jr. to work for firm without being a bona fide employee and reporting his income on a 1099 Form instead of a W-2 Form; and
- (2) Misrepresented and omitted material facts on all

examination and license applications submitted to the Board by failing to disclose 2001 felony criminal convictions.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and one (1) year probation, with twelve (12) month suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;
- (2) Utilize only employees receiving a W-2 from the Respondent firm and only on projects for what the firm has its electrical contracts and provide supervision by a qualified person;
- (3) Maintain records detailing and documenting compliance with the provisions of the 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
- (4) Attend and pass Contractor Disciplinary Business Course offered by Contractor Education Services, LLC / Umpire Technology Group by June 1, 2012.

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

EFFECTIVE DATE: September 23, 2011

CASE FILE NUMBER: 2011-118

LICENSEE: Security Incorporated of North Carolina

ADDRESS: 81 Broadway Street
Suite C
Asheville, NC 28801

LISTED QUALIFIED INDIVIDUAL: Francis Robert Lentini

LICENSE NUMBER: 11086-L

VIOLATION(S): Violated General Statute 87-47 (a1) (1) and (7) in that the firm:

- (1) Exceeded the scope of electrical contracting license in that firm offered to engage and did engage in the electrical contracting project, located at 36 Fairsted Drive, Asheville NC, in the amount of \$56,000 which exceeds the scope of firms Limited Electrical Contracting License;
- (2) Have been operating electrical contracting business in a name other than license is issued. Qualifier and firm offered to engage and did engage in the business of electrical contracting using the names Electric Incorporated and Artisan Electric Incorporated when license #11086-L is shown on the records of the Board as Security Incorporated of NC; and
- (3) Installed electrical wiring at a project located at 114 Deaver Street, Asheville NC with multiple electrical code violations.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred dollars (\$500.00) and two (2) year probation, with one

(1) year suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Neither engage, offer to engage or market electrical contracting other than in the name in which license is shown on the records of the Board;
- (2) Attend and pass Standard Level I Electrical Inspector Course approved by the NC Code Officials Qualifications Board by October 5, 2012;
- (3) Neither engage, offer to engage or market electrical contracting outside the scope of your Electrical Contracting License; and
- (4) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-123

LICENSEE: Sammy Phillips Electric Inc.

ADDRESS: P. O. Box 24519
Winston-Salem, NC 27114

LISTED QUALIFIED INDIVIDUAL: Sammy Gray Phillips Jr.

LICENSE NUMBER: 16026-U

VIOLATION(S): Violated General Statute 87-47 (a1) (7) in that the firm:

Failed to obtain required electrical permit from the Surry County Inspections Department prior to performing electrical work on a project located at Salem Fork Baptist Church, 555 Twin Oaks Road, Elkin NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required; and
- (2) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

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

EFFECTIVE DATE: September 23, 2011

CASE FILE NUMBER: 2011-136

LICENSEE: Carolina Piping & Rigging Management LLC

ADDRESS: 1214 Calvary Church Road
Bishopville, SC 29010

LISTED QUALIFIED INDIVIDUAL: John R. Moore

LICENSE NUMBER: 28770-U

VIOLATION(S): Violated General Statute 87-47 (a1) (7)

in that the firm:

(1) Failed to obtain required electrical permit, required by GS 160A-417, from the City of Winston Salem prior to performing electrical work on a project located at 3800 Kimwell Drive, Winston Salem NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required; and
(2) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

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

EFFECTIVE DATE: September 23, 2011

CASE FILE NUMBER: 2011-139

LICENSEE: Daniel A. Howie Electric Company

ADDRESS: 2133 Kimway Dr.

Matthews, NC 28105

LISTED QUALIFIED INDIVIDUAL: Daniel Allan Howie

LICENSE NUMBER: 05911-L

VIOLATION(S): Violated General Statute 87-47 (a1) (7) in that the firm:

(1) Failed to obtain required electrical permit, required by GS 153-357, from the Mecklenburg County Inspections Department prior to performing electrical work on a project located at 7232 Leawood Lane, Charlotte NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-169

LICENSEE: J. T. Durham, Inc.

ADDRESS: 5786 Strickland Road

Bailey, NC 27807

LISTED QUALIFIED INDIVIDUAL: James Troy Durham

LICENSE NUMBER: 11567-U

VIOLATION(S): Violated General Statute 87-47 (a1) (7)

in that the firm:

Failed to obtain a required electrical permit, for electrical wiring at a residence located at 8378 Bray Road Bailey, NC

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-170

LICENSEE: No Shorts Electric Inc.

ADDRESS: 3300 Kellystone Drive

Monroe, NC 28110

LISTED QUALIFIED INDIVIDUAL: Ronald William Woods

LICENSE NUMBER: 23991-U

VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0902 in that the firm:

Failed to obtain required electrical permit, required by GS 153A-357, from the Iredell County Inspections Department prior to performing electrical work on a project located at 111 D Market Place Avenue D, Mooresville, NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-185

LICENSEE: Sessoms Heating & Air Conditioning LLC

ADDRESS: 6421 Dean Street

Bailey, NC 27807

LISTED QUALIFIED INDIVIDUAL: John Donald Branlli

LICENSE NUMBER: 28588-SP-PH

VIOLATION(S): Violated General Statute 87-47 (a1) (1) in that the firm:

Exceeded the scope of firm's Special Plumbing and Heating (SP-PH) electrical contracting license in that firm subcontracted with Bryan Johnson, Evergreen Electric License #28297-L, to install electrical wiring at 7040 Windy Ct. Bailey, NC and 7116 Driver Rd. Middlesex, NC. Subcontractor installed a new branch circuit to existing panel-board to supply a new package heat pump system which exceeded Sessoms Heating & Air Conditioning, LLC SP-PH electrical contracting license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred dollars (\$500.00) and twelve (12) month probation. With twelve (12) month suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;
- Have written contracts or proposals for all projects having a project value in excess of one hundred dollars (\$100.00) signed by the licensee and customer for each installation for which the licensee is responsible;
- Obtain permits prior to commencement of work and obtain inspections within ten (10) days of substantial completion for all work for which license is required;
- Maintain job files or other written records of contracts made and installations performed;
- Neither engage, offer to engage or market electrical contracting other than in the name in which license is shown on the records of the Board;
- Utilize only employees receiving a W-2 from the Respondent firm and only on projects for what the firm has its electrical contracts and provide supervision by a qualified person;
- Maintain records detailing and documenting compliance with the provisions of the probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-188

LICENSEE: S.S.M.C. Inc.

ADDRESS: 904 Elizabethan Drive
Greensboro, NC 27410

LISTED QUALIFIED INDIVIDUAL: Curtis Cazoe

LICENSE NUMBER: 25628-I

VIOLATION(S): Violated General Statute 87-47 (a1) (7) in that the firm:

Failed to obtain required electrical permit from the City of Burlington on or about March 15, 2011 for electrical wiring located at 239 E. Front St. Burlington, NC. Firm

installed wiring for three (3) A/C condensers and installed one (1) outside luminaire.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
- (2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-203

LICENSEE: Spirit Electrical Services

ADDRESS: 324 Keri Drive
Garner, NC 27529

LISTED QUALIFIED INDIVIDUAL: Harry Patrick Phelps

LICENSE NUMBER: 20895-L

VIOLATION(S): Violated General Statute 87-47 (a1) (7) in that the firm:

Failed to obtain required electrical permit for an electrical project for a fire damaged building at 211-3E Park Ave, Raleigh, NC

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
- (2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-214

LICENSEE: Blaney Electric Inc.

ADDRESS: 130 Newnam Road
Stokesdale, NC 27357

LISTED QUALIFIED INDIVIDUAL: Timothy Keith Blaney

LICENSE NUMBER: 16329-U

VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:

Failed to obtain a required electrical permit, for electrical

wiring at a residence located at 2501 Gideon Grove Ch. Rd. Stokesdale, NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars (\$250.00) and six (6) month probation, with six (6) month suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
- (2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-262

LICENSEE: Solar and Wind Electrical Services

ADDRESS: 135 Manor Avenue
Suite D
Concord, NC 28025

LISTED QUALIFIED INDIVIDUAL: Troy Allan Taylor

LICENSE NUMBER: 23680-L

VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0908 (b) in that the firm: Failed to complete or abandoned an electrical project located at 370 Kerr St. Concord, NC.

BOARD ACTION: Board's staff proposed the imposition of a reprimand on the license record of the licensee. There was no objection from the licensee and the Board concurred in the action of staff.

EFFECTIVE DATE: December 8, 2011

ORDERS

CASE FILE NUMBER: 2010-197

LICENSEE: Antonio's Electric Service

ADDRESS: 3941 NC Hwy 42
Raleigh, NC 27603

LISTED QUALIFIED INDIVIDUAL: Antonio Leslie Mitchell

LICENSE NUMBER: 17889-U

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (5) and (7) and the Rules of the Board in that firm;

1. On May 19, 2010, Respondent agreed to a resolution which placed a Reprimand on the license record of Respondent and placed the license of Respondent on probation for one year with provisions that Respondent:

(a) [commit] no further violation of the General Statutes or the Rules of the Board;

(b) obtain written and signed contracts for all electrical projects over one hundred dollars (\$100.00) in value;

(c) obtain all required electrical permits prior to starting any electrical projects;

(d) properly supervise and direct all employees and projects; and

(e) complete the Contractor Business Class (Umpire Technologies Group, Inc., 919-624-3456, www.umpiretechnologiesgroup.com) approved by the State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade.

2. Respondent failed to comply with the provisions of the prior Order in that he failed to take and complete the Contractor Business Class required by May 19, 2011, as agreed by Respondent.

3. On or about July 7, 2010, Respondent entered into contract with Tammy Russ by the terms of which contract Respondent was to upgrade electrical service at a price of \$2,800.00 at an automobile repair shop known as Mpowered Automotive located at 111 Woodwinds Industrial Court in Cary, North Carolina. The work involved substantial rewiring so as to address the frequent circuit overloads being experienced by the customer.

4. In the course of performance of the contract, Respondent obtained a draw of \$1,000.00 prior to starting work. Respondent obtained a second draw on the contract in the sum of \$1,000.00 in order to purchase materials needed to complete that phase of the work. Respondent:

(a) failed to complete the work he contracted;

(b) did not obtain a written contract as required by the probation order;

(c) failed to obtain a permit in violation of the Board Order;

(d) failed to address his concern with additional work not covered by his contract by tendering a change order, abandoning the job instead; and

(e) failed to respond to the calls from the customer leaving the contracted work incomplete and unusable.

5. As a result of the actions of Respondent, it became necessary for the property owner to hire another contractor to complete both the work contracted by Respondent and the additional work in dispute between Respondent and property owner.

BOARD ACTION: 1. The license of Respondent firm and the status of Respondent, Antonio Leslie Mitchell, as a qualifying individual is suspended for a period of six (6) months.

2. Prior to reissuance of license to Respondent at the conclusion of the suspension, Respondent shall:

(a) have presented evidence to the Board that during the suspension, he has taken and passed the contractor business course designed by the Board and offered by Umpire Technology.

3. In the event the course is not completed in six (6) months from the effective date of the Order, license and qualification is revoked.

4. Upon completion of six (6) months suspension, the coursework as set out above, and return of license to Respondent, license of Respondent shall be placed on probation for two (2) years.

5. During the period of probation, Respondent shall:

(a) have written contracts or proposals signed by the Respondent and customer for each installation in excess of \$100.00 for which Respondent is responsible to include written change orders when there is a change in the scope of work;

(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) obtain no more than 50% payment from the owner prior to passing final inspection; and

(e) commit no violation of Article 4, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

6. During the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board.

7. In the event of violation of terms of the suspension or the probation order, this Order may be entered into evidence together with evidence of any such violation and license will be revoked.

EFFECTIVE DATE: July 30, 2011

CASE FILE NUMBER: 2010-249

LICENSEE: W. B. Moore Company of Charlotte Inc.

ADDRESS: 916 North Poplar St.

Charlotte, NC 28206

LISTED QUALIFIED INDIVIDUAL: Billy Ray Graves

LICENSE NUMBER: 18767-U

VIOLATION(S): Violated General Statute 87-47 (a1) (1):

1. Respondents have their principal facilities and licensed location in Charlotte, NC.

2. Sometime in 2009, Respondents rented office space at 8601 Six Forks Road, Suite 400, Forum I Building, Raleigh, North Carolina. Respondent obtained a business license, obtained a firm telephone answered as the name of the Respondent firm, and placed their business name on the office registry at the selected location. Over several months, Respondents hired licensed professional engineers and qualified individuals and assigned them to business development for the firm in the Raleigh area. The employees worked to market the firm business as ready, willing and able to conduct electrical contracting work in the Raleigh area.

3. Complaint to the Board was made by a former employee in mid-December 2010.

4. No action was taken by Respondent to address licensure for the Raleigh location until after contact by the Board investigator in late January 2011. Thereafter Respondent moved promptly to correct the licensure issue.

5. Respondents acknowledge technical violation of the Rules of the Board, but contend ambiguity exists in the application of the Rules to this situation. Respondents contend the existence of an employee in the Raleigh location who held qualifications should be understood as mitigation, along with the prior history of the firm.

6. The facts support the Conclusion that Respondents operated a branch office without proper license.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the Board impose a civil penalty of \$250.00 upon the licensee.

2. That the license of Respondent firm and the status of Respondent Billy Graves as a qualified individual, be placed on probation for a period of three (3) months, effective upon final action by the Board.

3. During the period of probation, the Raleigh office of Respondents shall comply with the following conditions of probation:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(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 for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) 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

(e) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

4. In the event of violation of or failure to comply with the terms of the probation, license will be suspended for twelve (12) months. The Board may impose additional sanctions if indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Graves and the Recommended Order was approved by the Board as a Final Decision 9/22/11.

EFFECTIVE DATE: September 22, 2011

CASE FILE NUMBER: 2011-45

LICENSEE: Steve's Electrical Installation and Maintenance

ADDRESS: 727 Vernon Drive
Jacksonville, NC 28540

LISTED QUALIFIED INDIVIDUAL: Steven Fernando Thompson

LICENSE NUMBER: 22582-L

VIOLATION(S): This Board was notified by the N.C. Department of Health and Human Services, Child Support Enforcement Section, that Respondent delinquent in child support obligations. Subsequent to receipt of that letter dated January 13, 2011, Respondent was contacted by phone to resolve his child support obligation January 19, 2011. A certified mail letter by this Board dated March 7, 2011 advised license might be revoked after 20 days if the arrearage issue was not addressed. The certified letter was returned as "Unclaimed" by the US Postal Service March 25, 2011. Letter was resent regular mail March 25, 2011. Subsequent to these notifications Respondent failed to take care of his child support obligations.

The Board received no certification from the Department of Health and Human Services that Respondent was no longer delinquent in child support payments. Respondent was advised by letter pursuant to the provisions of G.S. 93B-13 and G.S. 110-142.1, Respondents license and qualification were revoked April 7, 2011.

April 7, 2011 letter advised Respondent license may be reinstated only upon certification by the Child Support Enforcement Division that the arrearage has been eliminated and by personal appearance before the Disciplinary Committee of this Board.

The Board received a certificate of compliance from N.C. Department of Health and Human Services, Onslow County Child Support Enforcement Section, on June 17, 2011. Staff noted that Respondent has completed required continuing education for reinstatement and submitted a license reinstatement application and license fee for review.

BOARD ACTION: The Disciplinary Committee recommended:

1. The license and qualifications of Respondent be reinstated with the following conditions:

(a) a twelve (12) month period of probation; and
(b) commit no violation of Article 4, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.

2. In the event of a violation of any of the terms of this Order, license and qualifications shall be suspended for one (1) year. The Board may also impose such additional sanctions as indicated by any new violations of G.S. 87-47.

EFFECTIVE DATE: September 22, 2011

CASE FILE NUMBER: 2011-106 and 2011-180

LICENSEE: One Time Electric

ADDRESS: 1449 Inger Ave.

Albemarle, NC 28001

LISTED QUALIFIED INDIVIDUAL: Cres Lennon Stephens

LICENSE NUMBER: 13676-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) and Title 21 NCAC18B .0907 (a) and 0908 (b) in that firm;

(1) Failed to complete and abandoned a project located at 5237 Larkspur Dr. Winston Salem, NC and failed to correct electrical code violations as follows;

(a) Accepted fee of one thousand five hundred dollars (\$1500.00) for the electrical installation and did not complete the installation; and

(b) Installed feeder conductors not approved for direct burial in violation of the NC State Electrical Code Article 310.7.

(2) Failed to complete or abandoned a project located at 331 Park Cr. Albemarle, NC and failed to correct electrical code violations as follows;

(a) Accepted fee of six hundred fifty dollars (\$650.00) for the electrical installation and did not complete the installation; and

(b) Installed a service riser in that, the drip loop was no more than six foot and six inches above grade (Deck floor) creating a clear and present danger of personal injury. Electrical installation in violation of the NC State Electrical Code Article 230.24(b) (1) and failed to correct electrical code violations.

(3) Engaged in deceit or unethical conduct in the use of your license by entering into electrical contracts accepting fees and not returning to complete the contracts.

BOARD ACTION: The Disciplinary Committee recommended:

That the Respondent's license and the right serve as a listed qualified individual on any license to engage in business as an electrical contractor be placed on suspension a six (6) months. Suspension may be reduced by ninety (90) days if item one (1) is satisfied. Conditions of reinstatement as follows:

1. Prior to reinstatement of license and qualifications Respondent must pay restitution in the amount of one thousand five hundred dollars (\$1500.00) to Mr. Moses Seat Sr. (File #2011-106) and six hundred fifty dollars \$650.00 to Mr. Michael King (File #2011-180).

2. Respondent must attend a forty hour Standard Level I Electrical Course and show evidence of a passing grade and complete the Contractor Business Class (Umpire Technologies Group, Inc.) approved by the State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade by October 27, 2012.

3. Upon reinstatement license of One Time Electric and Cres Lennon Stephens as a qualifying individual be placed on probation for a period of two (2) years.

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 for which licensee is responsible;

(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 for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) 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

(e) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

5. In the event of violation of terms of the probation, license will be revoked. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Stephens and the Recommended Order was approved by the Board as a Final Decision December 8, 2011.

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-157

EXAM APPLICANT: John Howard Jones Jr.

ADDRESS: P. O. Box 61
Balsam, NC 28707

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4) and the Rules of the Board in that Respondent;

1. Applicant submitted application for license on May 22, 2011.

2. The Board staff presented evidence of a felony conviction on July 30, 1997, of committing lewd act upon or in the presence of a child under 16 and a conviction on November 4, 2008 of impeding a public officer. The Committee has received a copy of an Order issued in Jackson County, North Carolina, on August 12, 2010, which denied the Petition of the applicant to be removed from the Sex Offender Registry.

3. The Applicant provided explanation of the 1997 charge and conviction, his passage of psychological tests designed to determine whether or not he was a sexual predator, his clean record and the absence of any repeat occurrence over a period of 14 years. Applicant reviewed the 2010 Court Order and explained that the refusal of the Court to remove him from the Sex Offender Registry was based on the opinion of the Court that 10 years residence in North Carolina was required,

with the result that the prior six years in South Carolina could not be counted.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the application of John Howard Jones, Jr. for examination as an electrical contractor be allowed.

2. That after Applicant takes and passes an examination for license by the Board, the license of Applicant shall be placed on probation for twenty-four (24) months under the condition that Applicant continue candor and truthfulness with this Board and by extension, the public, and violate no criminal statutes of the State, minor traffic violations excluded.

3. That in the event of violation of terms of this probation order, license will be revoked.

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2011-160

LICENSEE: Bluewater Electric Company

ADDRESS: 2025 Klein Street
Wilmington, NC 28405

LISTED QUALIFIED INDIVIDUAL: Michael Wallace Walton

LICENSE NUMBER: 21363-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (4), (5) and (7) and the Rules of the Board in that Respondent;

1. Submitted application to reactivate license on July 11, 2011 with undisclosed criminal convictions.

2. The application was deferred pending review by the Committee as to criminal conduct.

3. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal convictions including misdemeanors assault on a female, injury to personal property, and protective order violation. Michael Wallace Walton is now on supervised probation for two years and expires on December 14, 2012.

BOARD ACTION: The Disciplinary Committee recommended:

1. That the Respondent's license and qualifications to engage in business as an electrical contractor remain on suspension extending to December 14, 2012 or until court judgment of December 14, 2010 is modified to unsupervised probation.

2. After reinstatement the Michael Wallace Walton and Bluewater Electric must comply with Prior Order of June 3, 2010.

3. In the event of violation of terms of the probation, license will be revoked. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

EFFECTIVE DATE: September 22, 2011

CASE FILE NUMBER: 2011-212

LICENSEE: Larry Warner Johnson

ADDRESS: 3473 Ararat Road
Ararat, NC 27007

LISTED QUALIFIED INDIVIDUAL: Larry Warner Johnson

LICENSE NUMBER: 11683-U

VIOLATION(S): 1. Respondent submitted application to reactivate license on September 27, 2011

2. The application was deferred pending review by the Committee as to past enforcement history with the Board.

3. The Board staff presented evidence of license of Johnson's Ltd. and qualification of Larry Warner Johnson Board Order revocation June 19, 2007.

4. A request for reinstatement was made August 6, 2003 and Larry Warner Johnson withdrew his request and failed to appear before the Disciplinary Committee August 28, 2003.

BOARD ACTION: The Disciplinary Committee recommended:

1. Respondent's license and qualifications to engage in business as an electrical contractor be reinstated.

2. Prior to reinstatement Respondent must attend a forty hour Standard Level I Electrical course and show evidence of a passing grade.

3. Upon reinstatement, license and qualifications will be placed on probation for a period of two (2) years. During the period of probation, Respondent shall comply with the following conditions:

(a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;

(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 for each installation;

(c) maintain job files or other written records of contracts made and installations performed;

(d) neither engage, offer to engage or market electrical contracting other than in the name in which license is shown on the records of the Board;

(e) utilize only employees receiving a W-2 from the Respondent firm and only on projects for what the firm has its electrical contracts and provide supervision by a qualified person;

(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.

4. In the event of violation of terms of the probation, license will be revoked. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. Johnson and the Recommended Order was approved by the Board as a Final Decision December 8, 2011.

EFFECTIVE DATE: December 8, 2011

CASE FILE NUMBER: 2010-228

NON-LICENSEE: Lowe's Home Centers, Inc.

ADDRESS: 1000 Lowe's Blvd
 Mooresville, NC 28117

VIOLATION: Engaging in the business of electrical contracting without a license

FINDING OF FACT: 1. On or about September 16, 2010, Lowe's Home Centers, Inc., in response to an invitation to bid on such public projects, proposed to provide lighting upgrades in the amounts of \$133,193.75 at the Parkwood Middle School in Union County, North Carolina, and \$136,974.15 at the Sun Valley Middle School in Union County, North Carolina ("the Bid").

2. Lowe's Commercial Services is the name of an internal department of Lowe's Home Centers, Inc., and not a separate and distinct corporate entity.

3. Lowe's Home Improvement, LLC is a limited liability company authorized to do business in the State of North Carolina. However, Lowe's Home Improvement, LLC did not tender a bid or bids in response to the invitation to bid on the Parkwood Middle School or Sun Valley Middle School projects

4. Lowe's Home Centers, Inc. is not currently, and has never been, licensed by this Board to submit bids on projects of the type described above.

5. Lowe's Home Centers, Inc. tendered the Bid and disclosed to bid representatives that Ideal Electrical Services, Inc. ("Ideal"), an electrical contractor licensed by this Board, would do such work. Lowe's Home Centers, Inc. understood at the time it tendered the bid that Ideal did not hold the appropriate classification to perform such work, but also understood that Ideal's principal and qualified individual Jeffrey D. Little had passed the examination necessary for Ideal to obtain an unlimited license classification from the Board and that Ideal would hold the required classification prior to the time Ideal would perform any work on the projects identified in the Bid.

6. Lowe's Home Centers, Inc. made inquiry to Bid representatives as to the appropriateness of submitting the Bid. However, Lowe's Home Centers, Inc. did not inquire of this Board with regard to the appropriateness of submitting the Bid.

7. Neither Lowe's Home Centers, Inc. nor its parent, subsidiaries, and/or affiliates were awarded a contract resulting from or associated with the Bid, nor did any such entity perform any work on a contract resulting from

or associated with the Bid.

8. Electrical contracting is defined as engaging or offering to engage in the business of installing, maintaining, altering or repairing any electric work, wiring, devices, appliances or equipment, and no person or entity may engage or offer to engage in the business of electrical contracting without having obtained a license in the classification appropriate for the project from this Board. G.S. 87-43 (emphasis added). An electrical contractor must have a “qualified individual” regularly on active duty in each separate place of business. 9. A “qualified individual” is defined by G.S. 87-41.1(1) as “an individual who is qualified in a specific license classification as a result of having taken and passed the qualifying examination required by this

Article for such a classification and who has been certified as such by the Board pursuant to G.S. 87-42.”

BOARD ACTION: 1. Lowe’s Home Centers, Inc. and the Board entered into a Consent Order under which Lowe’s Home Centers, Inc. agreed that it will neither seek to nor will it bid on projects unless and until it obtains a license in the appropriate classification from this Board and has the appropriate qualified individual in place.

2. Lowe’s Home Centers, Inc. agreed that any violation of this Consent Agreement would be enforceable in the courts of this State, including but not limited to actions for injunctive relief and for contempt

EFFECTIVE DATE: August 19, 2011

CONSENT AGREEMENTS

Criminal background checks a randomly conducted on examination applicants at the time examination applications are received and on listed qualified individuals at the time of issuance of a license and license renewal. Persons with criminal convictions are evaluated to determine if the matter is under the purview of the Board and may be resolved by consent agreement signed by the individual stating that they will be in full compliance of the court imposed sanctions and sanctions of the Board. The individual further acknowledges that failure to comply with the court or Board sanctions could lead to formal proceedings by the Board and more serious sanctions against the individual.

Name	City	County	License	File Number
Douglass Charles Key	Cooleemee	Davie	21324-L	2011-200

NON-LICENSEE – WARNINGS AND WARNING AFFIDAVITS

Staff may obtain by consent a warning affidavit in connection with the first offense of unlicensed individuals offering to engage in electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina. The Board may apply to the courts to restrain and enjoin such violations as unlicensed individuals engaging in electrical contracting. 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 and 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	County	File Number
Jamie Sanchez Sarabia	Hickory	Burke	2011-107
Mike Lee England	Newton	Catawba	2011-108
Christopher Joe Lunsford	Granite Falls	Caldwell	2011-111
Harold Joseph Henkel	Granite Falls	Caldwell	2011-110
Stoney Hartley	Lenoir	Caldwell	2011-112
Alonso O. Castillo	Matthews	Mecklenburg	2011-21
Newton Penny	Raleigh	Wake	2010-201
Abisaid Velasco Hernandez	Bailey	Edgecombe	2011-71
Ronnel Arthur Butts	Goldsboro	Wayne	2011-105
John Scinta	Raleigh	Wake	2011-75
Stephen Smith	Huntersville	Mecklenburg	2011-82
Jonte Hawkins	Norlina	Warren	2011-114
Dennis Rutland	Kittrell	Vance	2011-115
Jamie Sanchez Sarabia	Hickory	Burke	2011-107
Mike Lee England	Newton	Catawba	2011-108
Christopher Joe Lunsford	Granite Falls	Caldwell	2011-111
Harold Joseph Henkel	Granite Falls	Caldwell	2011-110

North Carolina State Board of Examiners
Of Electrical Contractors
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