



NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

NEWSLETTER

JANUARY 2015, EDITION #67

MESSAGE FROM THE CHAIRMAN

We are now in the New Year, 2015! Where did the Old Year go?

The Board of Examiners of Electrical Contractors, however, is in its third quarter of the fiscal year. Tim Norman, our new Executive Director, has been hard at work taking up the reigns.

The PED (Program Evaluation Division) has been working on its recommendation to the Legislature and that has kept Tim busy monitoring them. It appears that PED will recommend that the structure of our Board will remain as it is at present. Some type of oversight is also in the PED's recommendation. Who knows what might happen in the Legislature, so everyone should be monitoring the process. The Board certainly will be keeping up with it.

Gerald Harvell from the Charlotte area has joined the Board as a Public Member. Gerald is a welcomed addition. He brings a great deal of expertise to the Board.

This past year, the Board's proposal to increase the Project Value Limits was given final approval and is now in effect. Also a proposal to increase the License Fees was approved. These fees will become effective on July 1, 2015. Details about these changes are included in this newsletter.

Because there were questions and misunderstandings concerning the Board's proposal to establish a voluntary Electrical Technicians Certification, the Board decided to table the proposal. The Board will not renew the proposal until all questions are addressed

and everyone has a clear understanding of the proposal. Tim and staff have been traveling through the State to meet with contractors at their Chapter meetings. They are being well received and are answering questions and bring back concerns to the Board. If your Chapter wishes Tim or staff to attend one of your meetings, simply call and ask.

This year in March, in conjunction with the third quarter Board meeting, the Board will be meeting for three days for committee meetings. There is much work to be done reviewing the Board's rules, as requested by the State Rules Review Commission. Plans for the upcoming year are also on the agenda.

Plan to attend the annual North Carolina Electrical Institute this April 8 & 9. Hope to see you there.

James Carpenter, Chairperson

PRICE REDUCTIONS - CODE BOOKS

The Board has reduced the price of the 2011 and 2014 National Electrical Code books.

The cost for the 2011 NEC is now \$50.00 and the 2014 NEC is now \$80.00 regardless of the quantity ordered. Order forms for these books are included in this newsletter or you may order these books online at the Board's website: www.ncbeec.org.

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.

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SOUTHERN SECTION ATTENDANCE AWARD



Curtis R. Kennedy received an award for 65 years of attendance at the IAEI Southern Section in Addison, TX on October 14, 2014.

2014 APPRENTICE CONTEST WINNERS



Russell Johnson, Watson Electrical Construction Co., LLC, Wilson NC won first place in the 2014 North Carolina Electrical Apprentice Contest held October 22, 2014, at the NC State Fair, Raleigh, NC.

Derrick Daniels, Starr Electric, won first place in the 2014 NCAEC Apprenticeship Contest held September 26, 2014, at the Greensboro Coliseum Annex in Greensboro, NC.



Congratulations Russell and Derrick!

BOARD LAWS AND RULES ADOPTED SEPTEMBER 2014

Two of the Board rules have now been amended and given final approval.

PROJECT VALUE LIMITS

The project value limits for limited and intermediate licenses were changed in Board Rule 21 NCAC 18B .0303 and became effective September 1, 2014. G.S. 87-43-3 grants authority to the Board to adjust the project value limitation for each class of license based on the project cost index. The limits have not changed since 2008. The Board carried out an analysis of changes in construction cost and found that an increase in size of job available to holders of limited and intermediate license is supported by the data and appropriate.

THE COMPLETE TEXT IS BELOW, with the changes set out near the end—note that this rule also describes how to calculate the project value.

21 NCAC 18B .0303 ELECTRICAL INSTALLATION: PROJECT: PROJECT VALUE-LIMITATION

For the purpose of implementing G.S. 87-43.3 pertaining to the limited and intermediate electrical contracting license classifications, the following provisions shall apply:

- (1) Electrical Installation. Electrical work is construed to be an electrical installation when the work is made or is to be made:
 - (a) in or on a new building or structure;
 - (b) in or on an addition to an existing building or structure;
 - (c) in or on an existing building or structure, including electrical work in connection with lighting or power rewiring or with the addition or replacement of machines, equipment or fixtures; or
 - (d) in an area outside of buildings or structures, either overhead or underground or both.
- (2) Project. An electrical installation is construed to be a separate electrical contracting project if all the following conditions are met:

- (a) the installation is, or will be, separate and independently supplied by a separate service, feeder, or feeder system;
- (b) the installation is for:
 - (i) an individual building or structure which is separated from other buildings or structures by a lot line or, if located on the same lot with other buildings or structures, is physically separated from such other buildings or structures by an open space or an area separation fire wall;
 - (ii) an individual townhouse single-family dwelling unit constructed in a series or group of attached units with property lines separating such units;
 - (iii) an individual tenant space in a mall-type shopping center;
 - (iv) an addition to an existing building or structure;
 - (v) an existing building or structure, including electrical work in connection with lighting or power rewiring or with the addition or replacement of machines, equipment, or fixtures; or
 - (vi) an outdoor area either overhead or underground or both;
- (c) the negotiations or bidding procedures for the installation are carried out in a manner totally separate and apart from the negotiations or bidding procedures of any other electrical installation or part thereof;
- (d) except for additions, alterations, repairs, or changes to a pre-existing electrical installation, no electrical interconnection or relationship exists between the installation and any other electrical installation or part thereof; and
- (e) a separate permit is required to be obtained for each individual building structure or outdoor area involved from the governmental agency having jurisdiction.

If a question is raised by a party at interest or if requested by the Board or Board's staff for any reason, the owner or the awarding authority or an agent of either shall furnish to the Board, and to the inspections

department having jurisdiction, a sworn affidavit confirming that the conditions set forth in Sub-Items (2)(a) through (e) of this Rule are satisfied or the project will be treated as a single project.

(3) Relationship of Plans and Specifications to Definition of Project. Even though the electrical work may not fully comply with each condition set out in Item (2) of this Rule, the entire electrical work, wiring, devices, appliances or equipment covered by one set of plans or specifications shall be construed as a single electrical contracting project by the Board.

(4) Project Value Limitation. In determining the value of a given electrical contracting project, the total known or reasonable estimated costs as determined by the Board of all electrical wiring materials, equipment, fixtures, devices, and installation shall be included in arriving at this value, regardless whether a third party such as an owner or general contractor furnishes all or part of same, and regardless of the form or type of contract or subcontract involved.

(a) if the total cost of the wiring, materials, etc., including that furnished by others, plus the total cost of the installation involved, will be more than fifty thousand dollars (\$50,000) but not more than one hundred thirty thousand dollars (\$130,000), then only an electrical contractor holding either an intermediate or unlimited license shall be eligible to submit a proposal or engage in the project.

(b) if the total cost of the wiring, materials, etc., including that furnished by others, plus the total cost of the installation involved, will exceed one hundred thirty thousand dollars (\$130,000), then only an electrical contractor holding an unlimited license shall be eligible to submit a proposal or engage in the project.

If a given electrical contracting project is subdivided into two or more contracts or subcontracts for any reason, then the total value of the combined contracts or subcontracts that may be awarded to or accepted by any one licensee of the Board must be within the total project value in accordance with this Rule.

The Board's staff shall make a determination of what constitutes a project in any given situation, and any party at interest may appeal any staff determination to the Board for a final binding decision.

History Note: Authority G.S. 87-42; 87-43; 87-43.3; Eff. October 1, 1988;
Amended Eff. September 1, 2014; January 1, 2008; February 1, 1996; February 1, 1990.

LICENSE RENEWAL FEE CHANGE

The annual license renewal fees were changed in Board Rule 21 NCAC 18B.0404 and take effect for licenses renewed after June 30, 2015. The Board adjusted fees for the first time in five (5) years within the limits previously authorized by the General Assembly.

THE COMPLETE TEXT IS BELOW:

21 NCAC 18B .0404 ANNUAL LICENSE FEES

(a) The annual license fees and license renewal fees for the various license classifications are as follows:

LICENSE FEE SCHEDULE

CLASSIFICATION	LICENSE FEE
Limited	\$ 85.00
Intermediate	\$130.00
Unlimited	\$180.00
SP-SFD	\$ 85.00
Special Restricted	\$ 85.00

(b) License fees shall be made payable to the Board. Payment shall accompany any license or license renewal application filed with the Board.

History Note: Authority G.S. 87-42; 87-44; Eff. October 1, 1988;
Amended Eff. May 1, 1998; July 1, 1989; Temporary Amendment Eff. June 30, 2000;
Temporary Amendment Eff. August 31, 2001;
Amended Eff. July 1, 2015; January 1, 2008; December 4, 2002.

WELL CONTRACTOR LICENSING CHANGES

The General Assembly created a partial exemption for well contractors. This was NOT a change sought by this Board.

G.S. 87-43.1 was amended by adding the following new subdivision to read:

"§ 87-43.1. Exceptions.

The provisions of this Article shall not apply:

(10) To the installation, construction, maintenance, or repair of electrical wiring, devices, appliances, or equipment by a person certified as a well contractor under Article 7A of this Chapter when running electrical wires from the well pump to the pressure switch."

SECTION 42.(b) G.S. 87-98.6 reads as rewritten:

"§ 87-98.6. Well contractor qualifications and examination.

(a) The Commission, with the advice and assistance of the Secretary, shall establish minimum requirements of education, experience, and knowledge for each type of certification for well contractors and shall establish procedures for receiving applications for certification, conducting examinations, and making investigations of applicants as may be necessary and appropriate so that prompt and fair consideration will be given to each applicant. Page 30 S734 [Ratified]

(b) The Commission, with the advice and assistance of the Secretary, shall establish minimum requirements of education, experience, and knowledge for each type of certification for well contractors for the installation, construction, maintenance, and repair of electrical wiring devices, appliances, and equipment related to the construction, operation, and repair of wells. Requirements developed pursuant to this subsection shall apply only to the initial certification of an applicant and shall not be required as part of continuing education or as a condition of certification renewal."

SECTION 42.(c) This section is effective when it becomes law. The requirements of subsection (b) of G.S. 87-98.6, as enacted by Section 42(b) of this act, apply to applicants applying for certification on or after the date this section becomes effective. Eff. September 18, 2014.

The Board remains concerned about potential injury and also about persons who fail to understand or adhere to the limits of the new exemption.

EMPLOYEE OR INDEPENDENT CONTRACTOR

Pursuant to NCGS 87-43.1 Exception (3), a person in the course of his work as a bona fide employee of a licensee of the Board is not required to hold a license of his own. Board Rule .0306 also sets out conditions that must be met. This rule identifies specific conditions the Board will require and evaluate to determine whether a person is exempt as an employee. Suggested items to keep in your files include:

EMPLOYER FORMS or VALID CERTIFICATES

SS-4	Federal Employer Identification Number	www.irs.gov
AS/RP1	State Employer Identification Number	www.dor.state.nc.us
W-2	Employee Wage & Tax Statement	www.irs.gov
	Insurance Certificates	www.ncesc.com
		www.comp.state.nc.us

EMPLOYEE FILE

W-4	Employee Federal Withholding Form	www.irs.gov
NC-4	Employee State Withholding Form	www.dor.state.nc.us
I-9	Employment Eligibility Verification Form	www.uscis.gov
	NC New Hire Reporting Form	www.ncnewhires.com

EMPLOYEE or INDEPENDENT CONTRACTOR

Example 1. Pulling Wire Electric has worked with a General Contractor (GC) for many years. (GC) calls to say he has a motel project in Goldsboro that is to far for

daily commute. Pulling Wire Electric would hate for (GC) to start using somebody else.

Pulling Wire Electric finds Jerry Jones near Snow Hill. Jerry has no license but agrees to help Pulling Wire Electric handle the work for \$20,000.00 if Pulling Wire Electric supplies fixtures. Pulling Wire Electric gets the permit and sends a superintendent every Monday. Jerry Jones provides the people and keeps the job together the rest of the week.

Legal or not? What happens when the work fails inspection or doesn't get done on time?

Answer: Pulling Wire Electric is guilty of both peddling license and inadequate supervision and faces suspension of license and loss of business which took years to build. Jerry Jones and all his people are guilty of working without license. Neither Jerry Jones nor any of the helpers are "bona fide employees" of Pulling Wire Electric. Most likely Pulling Wire Electric gave Jerry Jones a 1099-MISC Form, and Jerry Jones gave cash to the helpers. Sending a superintendent once a week was inadequate supervision.

Example 2. Les Getuit has built his business up to three crews plus a service truck, doing mostly residential work. Last week, General Contractor (GC) calls to see if Les can take on the new Medical Office Building near the hospital. This is a great chance for Les to add some commercial work. He already has the necessary Intermediate license.

Les doesn't have enough people. Les sees that (GC) pick up crews for painting and framing, etc., pay on a 1099-MISC Form, and seem to make plenty of money. Les runs into Frank Brooks who says he has Fridays and weekends free and can get some more guys to help. Frank Brooks says he can line up 10 guys.

Is Les headed for riches or ruin? The latter. Frank Brooks and the boys are not bona fide employees. License trades are different from painters, masons and roofers. Lives depend on the work being right. All the people on Les Getuit's office building must be bona fide employees and Les must supervise and direct their work.

Les can't build his business picking up labor like roofers or painters. Even though Les plans to be on the job every day, Frank Brooks and the boys are not bona fide employees.

Example 3. After talking to the guys at the County Association meeting and reading the Electrical Board newsletter, Les realizes he can put Frank Brooks on the payroll, even if it's just three days per week, and even if they also work somewhere else. With good supervision from Les, there will be no problem knowing who controls the work and who provides supervision.

Example 4. A year goes by; Frank Brooks calls Les and says I finally passed the electrical board's test. I'd like to catch some of your overflow work. Les thinks to himself. - I can't afford to hire Frank Brooks as an employee - I just don't get enough commercial to keep it going.

Does Les have to say "No" to Frank Brooks?

Answer: No. Subbing work to another licensee is not a problem. The work will be supervised and Frank Brooks need not be a bona fide employee.

Example 5. Pulling Wire Electric has worked with (GC) for many years. (GC) calls to say he has a motel project in Goldsboro that is too far for daily commute. Pulling Wire Electric would hate for (GC) to start using somebody else. Pulling Wire Electric calls Manpower Labor Supply. Pulling Wire Electric and Manpower Labor Supply enter into a contract. Manpower Labor Supply will provide its employees to Pulling Wire Electric, and give them W-2s, medical, workers compensation. Pulling Wire Electric will have complete control and all liability and responsibility for the job, and will direct all details, including the ability to order any of Manpower's people off the job. The listed qualified individual is a bona fide employee (gets a W-2 Tax Statement) of Pulling Wire Electric. Is Pulling Wire Electric legal?

ANSWER: Yes, for tax purposes, these workers are considered employees of Manpower and leased workers to Pulling Wire Electric, and the contract is very clear that whether the work gets done, and how well, is up to Pulling Wire Electric. The payroll and supply service of Manpower does not mean the workers are working without license, and Pulling Wire Electric is not peddling the license.

Failure to meet NCGS 87-43.1 Exception (3) will cause the person to be treated as an independent contractor

engaging in the business of electrical contracting without a license, a misdemeanor offense. Also, the licensee will be treated as having sold or assigned the license and aided and abetted an unlicensed person, commonly called license peddling, a prohibited offense which can result in revocation of license.

NOTE: Compensation paid to an independent contractor is subject to reporting by 1099-MISC Form and/or W-9 Form.

There are many resources available to assist you in establishing your business. The Board offers the Business and Project Management for Contractors published by the National Association of State Contractors Licensing Agencies at \$30.00. Also, the NC Department of Commerce has created the Business License Information Office, Telephone 800-228-8443 or website www.nccommerce.com/servicenter Assistance is also available from the Internal Revenue Service www.irs.gov or the NC Department of Revenue www.dor.state.nc.us

12TH ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

Last year the Board presented Mr. Daniel James Thomas Jr. with the 11th Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2014 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 7th and 8th, 2015 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 10, 2015.
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 2014 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: _____

SPONSOR NAME: _____

NOMINATED BY: _____

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

COURT CASES

CASE FILE NUMBER: 2011-98

NON-LICENSEE: Charles Marvel d/b/a All Seasons Contracting

ADDRESS: 1303 Greenway Court
Westminster, MD 21157-8354

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

COURT ACTION: Civil action instituted in Currituck County Superior Court resulting in the entry of a Court Order on April 29, 2014 whereby Charles Marvel individually and d/b/a All Seasons Contracting 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, 2014

CASE FILE NUMBER: 2012-49

NON-LICENSEE: Anthony Cannon

ADDRESS: 12212 Palomar Drive
Huntersville, NC 28078

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 May 13, 2014 whereby Anthony Cannon 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 13, 2014

CASE FILE NUMBER: 2013-193

NON-LICENSEE: Richard Beer d/b/a Richard Beer & Sons d/b/a 24/7 Services

ADDRESS: 124 Baron Circle
Youngsville, NC 27596

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

COURT ACTION: Civil action instituted in Franklin County Superior Court resulting in the entry of a Court Order on July 28, 2014 whereby Richard Beer individually and d/b/a Richard Beer & Sons, d/b/a 24/7 Services are 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 28, 2014

CASE FILE NUMBER: 2013-215

NON-LICENSEE: Carl VanNote d/b/a AV Advance and Avenz Enterprises, LLC

ADDRESS: 41074 Hwy. 12
Avon, NC 27915

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 April 22, 2014 whereby Carl VanNote individually and d/b/a AV Advance and Avenz Enterprises, LLC 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 22, 2014

CASE FILE NUMBER: 2013-245

NON-LICENSEE: David Hensley

ADDRESS: 120 Barnview Rd.
Woodleaf, NC 27054

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 April 22, 2014 whereby David Hensley individually 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 22, 2014

CASE FILE NUMBER: 2013-259

NON-LICENSEE: Macey Hinson

ADDRESS: M. L. Hinson Electrical and Repair
42511 Moss Lane
New London, NC 28127

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 April 22, 2014, 2014 whereby Macey Hinson individually and d/b/a Hinson Electrical Repair is permanently restrained from engaging in the business of electrical contracting as

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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 22, 2014

CASE FILE NUMBER: 2014-1

NON-LICENSEE: Freddie Lee Little, Jr.

ADDRESS: 600 Ferrells Bridge Rd
Louisburg, NC 27549

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 September 12, 2014 whereby Freddie Lee Little, Jr. individually 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 12, 2014

NOTICE OF VIOLATIONS

CASE FILE NUMBER: 2013-187

LICENSEE: Michael & Son Services of North Carolina LLC

ADDRESS: 4001 Atlantic Avenue
Raleigh, NC 27604

LISTED QUALIFIED INDIVIDUAL: Basim Mousa Mansour

LICENSE NUMBER: 29319-U

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (5), (6) and (7) and Title 21 NCAC 18B .0301, .0402 (b), .0907 (c) and .0908(c) in that qualifier and firm:

(1) Failed to supervise employees of Michael and Son Services of North Carolina LLC while being employed at Michael and Son Services, Inc., Virginia, during the time of June 17, 2011 through June 20, 2014;

(2) Engaged in false or misleading advertising by operating in other name other than Michael and Son Services of NC, LLC as was listed with the Board by using names of Michael and Son Services, Inc.;

(3) Failed to ensure that a request for final inspection was made within 10 days of completion of work for which a license is required in Durham, NC; and

(4) Failed to respond to City of Durham Inspection Department after numerous attempts to correct deficiencies on an electrical project located 2224 Conestoga Dr. Durham, NC in a timely manner.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of one thousand dollars (\$1000.00) and one (1) year probation, with one (1) years 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) Obtain final inspection on all open electrical permits in the City and County of Durham;

(3) 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;

(4) 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; and

(5) 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 4, 2014

CASE FILE NUMBER: 2013-209

LICENSEE: Fast Electric Service Inc

ADDRESS: 2301 Werrington Drive
Holly Springs, NC 27540

LISTED QUALIFIED INDIVIDUAL: Michael Edwin Bentkowski

LICENSE NUMBER: 24843-L

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (3), (7) and Title 21 NCAC 18B .0907 (c), .0908 (c) and .0909 (a) in that the firm:

(1) Aided or abetted unlicensed activity by allowing Jimmy Walton to engage in electrical contracting on a project located 2011 N. Raleigh Blvd. Raleigh NC;

(2) Failed to obtain required electrical permit before commencement of installing electrical systems at 2011 N. Raleigh Blvd. Raleigh, NC;

(3) Failed to complete project in a timely manner in that firm started a project located 2011 N. Raleigh Blvd. Raleigh NC on or about January 15, 2013 and did not complete project until action from this Board; and

(4) Allowed Jimmy Walton to operate the electrical portion of Fast Electric Service Inc. and failed to supervise.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) and one (2) year probation, with twelve (12) months 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) Obtain electrical permit and final inspection at project located 2011 N. Raleigh Blvd. Raleigh, NC;

(3) Have written contracts or proposals for all projects

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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;

(4) 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;

(5) Maintain job files or other written records of contracts made and installations performed;

(6) 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; and

(7) 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: September 18, 2014

CASE FILE NUMBER: 2013-229

LISTED QUALIFIED INDIVIDUAL: Jason Allen Brummett

ADDRESS: 1200 Secotan Place
Fuquay Varina, NC 27526

LICENSE NUMBER: 26100-SP-EL

VIOLATION(S): 1. Jason Allen Brummett made request for reinstatement of qualification on March 10, 2014 with disclosed misdemeanor criminal conviction, "DWI Level 2".

2. License and qualification were voluntary surrendered November 6, 2013 after Board's Staff found that Jason Allen Brummett violated General Statute 87-43 and 87-47 (a1) (7) in that:

(a) Jason Allen Brummett failed to supervise and direct electrical contracting done by or in the name of Elevator Specialists of Carolina Inc. by allowing firm and employees to continue to operate an electrical contracting business during time Jason Allen Brummett was incarcerated in North Carolina Department of Public Safety after date of September 28, 2013 through November 6, 2013;

(b) Jason Allen Brummett failed to notify Board's office of the criminal activity above; and

(c) Engaging in unethical conduct and deceit in the use of your electrical contracting license.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand with the following conditions of reinstatement as follows:

1. Prior to reinstatement pay a civil penalty of five hundred dollars (\$500.00);

2. Upon reactivating license, Jason Brummett's qualifications and license are to be placed on probation until June 25, 2016, which is concurrent with your court imposed probation, with the following conditions:

(a) Continue candor and truthfulness with the Board and by extension to the public;

(b) Have no additional criminal convictions other than traffic matters;

(c) Comply with the judgment entered by the Court on July 10, 2013; and

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

In the event of failure to comply with the terms of probation, your license and the right to serve as a listed qualified individual on any license will be revoked. The Board may impose such additional sanctions as indicated by any new violation of G.S. 87-47.

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

EFFECTIVE DATE: September 18, 2014

CASE FILE NUMBER: 2013-235

LICENSEE: Garrett Electrical And Maintenance Company

ADDRESS: 6224 Chris Court
Battleboro, NC 27809

LISTED QUALIFIED INDIVIDUAL: Robert Alvin Garrett

LICENSE NUMBER: 13639-L

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (7) in that the firm:

Failed to resolve a contractual dispute with the owner and Board's Field Staff in a timely manner.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand.

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

EFFECTIVE DATE: December 4, 2014

CASE FILE NUMBER: 2014-31

LICENSEE: WorkPros

ADDRESS: 7000 Storage Court
Suite 17

Columbus, GA 31907

LISTED QUALIFIED INDIVIDUAL: Zachary Alderson

LICENSE NUMBER: 29931-U

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (7) and Title 21 NCAC 18B .0907 (c) in that the firm:

Failed the specific duty and authority to supervise and direct electrical contracting done by or in the name of WorkPros. Failed to respond to the attempts by Stanly County Inspection Department and this Board to make contact in the matter of an electrical project located 13024 Austin Rd. Locust, NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and one (1) year probation, with six (6) months 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.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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

EFFECTIVE DATE: September 18, 2014

CASE FILE NUMBER: 2014-38

LICENSEE: Sellers Heating & A.C.

ADDRESS: 3881 Littlebrook Drive
Clemmons, NC 27012

LISTED QUALIFIED INDIVIDUAL: James Bobby Sellers

LICENSE NUMBER: 28496-SP-PH

VIOLATION(S): Violated General Statute 87-47 (a1) (7), Title 21 NCAC 18B .0907 (a), (b) and .0908 (a), (b) in that you and your firm:

Installed electrical contracting work with violations of the State Electrical Code (2011 National Electrical Code) by installing branch circuit conductors from a 125 ampere disconnect with type NM #8 copper wire to supply a 20 KW fixed electric space heating equipment that had a name plate rating of 109 amperes. NC Electrical violations: 110.13(A), 210.19 (A) (1), 240.4 and 310.15. (B). (16).

BOARD ACTION: The Board, acting through its staff, proposed a six (6) months suspension of license and the right to serve as a listed qualified individual on any license with conditions of reinstatement as follows:

(1) Prior to reinstatement, attend and pass Standard Level I Electrical Inspector Course approved by the NC Code Officials Qualifications Board; and

(2) Upon reinstatement, probationary period of twelve (12) months with condition that you commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

In the event of failure to comply with the terms of probation, your license and the right to serve as a listed qualified individual on any license will be revoked.

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

EFFECTIVE DATE: September 18, 2014

CASE FILE NUMBER: 2014-90

LICENSEE: Hopper Electric Company Inc.

ADDRESS: 228 Can Road
Mayodan, NC 27027

LISTED QUALIFIED INDIVIDUAL: Charles Wayne Hopper

LICENSE NUMBER: 13861-L

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

Failed to request final inspections within 10 days of completion of work on eighteen (18) electrical permits obtained in the County of Rockingham, 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) months 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 final electrical inspections on projects listed in the name of Hopper Electric Company Inc. in Rockingham County, NC;

(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; and

(3) 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 18, 2014

CASE FILE NUMBER: 2014-134

LICENSEE: M&S of NC LLC DBA: Michael & Son Services

ADDRESS: 400 Clanton Road
Suite K
Charlotte, NC 28217

LISTED QUALIFIED INDIVIDUAL: George Burton Vogt

LICENSE NUMBER: 23731-L

VIOLATION(S): Violated General Statute G.S. 87-43, 87-47 (a1) and (7) and Title 21 NCAC 18B .0301, and .0908(c) in that the qualifier and firm:

(1) Failed to supervise employees of M&S of NC LLC d/b/a Michael & Son Services, 400 Clanton Rd. Charlotte, NC, while being employed at Michael and Son Services, Inc., 5845 Northampton Blvd., Virginia Beach, VA 23455; and

(2) Engaged in unethical conduct in the use of 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 one (1) 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) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;

(2) Firm must have a listed qualified individual regularly active on duty and to supervise and direct all electrical wiring or electrical installations as defined in G.S. 87-43; and

(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.

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

EFFECTIVE DATE: December 4, 2014

CASE FILE NUMBER: 2014-175

LICENSEE: J Correa Electrical LLC

ADDRESS: 160 Dahlia Street
Lexington, SC 29072

LISTED QUALIFIED INDIVIDUAL: James A. Hill

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

LICENSE NUMBER: 26910-U

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (3), (7) and Title 21 NCAC 18B .0301 in that the firm:

(1) Failed to be regularly on active duty as a listed qualified individual for J Correa Electrical LLC in that James A. Hill is only a part time employee and has committed to duty as an employee in other employment at Itac, Inc. in Chester Virginia;

(2) Have aided or abetted unlicensed activity in that firm hired independent contractors, Bernardino Hernandez of Greensboro, Alfredo Berduo of Greensboro and Luis Diaz (D & Z Home Investments) of Durham;

(3) Failed to install electrical wiring in accordance with approved drawings for an project named Southeastern Building located at 100 N. Elm Street, Greensboro, NC; and

(4) Engaged in deceit or unethical conduct in the use of your license.

BOARD ACTION: Staff proposed a reprimand and a civil penalty of one thousand dollars (\$1000.00) and two (2) year probation, with twelve (12) months 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) Qualified Individual, James A. Hill, shall have the specific duty and authority to supervise and direct all electrical wiring or electrical installation work done or made in the licensee name in which he is so listed; and

(3) Utilize only employees receiving a W-2 from the Respondent's firm and only on projects for what the firm has its electrical contracts and provide supervision by a qualified person.

License #26910-U is now inactive and probation will start upon reinstatement.

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

EFFECTIVE DATE: December 4, 2014

ORDERS

CASE FILE NUMBER: 2012-167

LICENSEE: Solar World-NC Corp

ADDRESS: 1116 Olive Chapel Road
Apex, NC 27502

LISTED QUALIFIED INDIVIDUAL: Rodney Earl Cannon

LICENSE NUMBER: 05948-U

VIOLATION(S): Violated General Statute 87-47 (a1) (1), (2), (6) and (7):

1. Respondent Rodney Earl Cannon is a Qualified Individual and has functioned as the qualifier for Solar World NC Corporation, an entity controlled by Stacy Bland.

2. Solar World :

(a) obtained \$25,000.00 as a down payment on a \$50,000.00 contract;

(b) abandoned the installation and failed to complete the contract or return the \$25,000.00 down payment;

(c) contracted work using the name Solar World and Stacy Bland rather than the names in which license was listed in the records of the Board;

(d) Solar World obtained \$12,000 as a down payment on a \$30,000.00 contract for another job;

(e) represented that permits had been purchased when there were no permits obtained;

(f) failed to order the equipment and remit the necessary funds to obtain the equipment;

(g) obtained \$10,000 as a down payment on a \$15,000 contract for another job;

(h) ordered a generator and only partially installed it;

(i) failed to turn off the power from the utility to install the transfer switch;

(j) obtained a permit for an emergency generator and transfer switch, which permit was left open without an inspection or completion of the work.

(k) abandoned the installation and failed to complete the contract or return the \$10,000 down payment;

(l) contracted with an expired license.

(m) paid the qualified individual on a 1099

(n) By listing his license qualification in the name of Solar World NC Corp, Mr. Cannon aided and abetted Stacy Ellis Bland and Solar World NC Corp to engage in electrical contracting.

BOARD ACTION: After a hearing on September 17, 2014 the Board ORDERED:

1. The license of Respondent firm and the status of Respondent Rodney Earl Cannon as a qualifying individual is revoked.

2. In the event Mr. Cannon subsequently requests reinstatement by the Board, a determining factor in the consideration of any request for reinstatement will be whether he has accomplished restitution to Mr. Hoyt, Ms. Beachem and Dr. Coles, the victims of the actions and omissions of Respondent and Stacy Bland.

EFFECTIVE DATE: October 31, 2014

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
Daniel Robert DeVenney	Hickory	Catawba	23520-L	2014-151

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
Rick P. Gougeon	Little Switzerland	Mitchell	2014-72
Joshua Denney	Lexington, KY	Out of State	2013-231
Hubert Wayne Nicholson Jr.	Reidsville	Rockingham	2014-92
Charles Grady Bergen	Rockmart, GA	Out of State	2014-81
Peter Joe Yumet	Indian Trail	Union	2014-110
Leocadio Sanchez	Stoneville	Rockingham	2014-118
Shawn Stewart	Clayton	Johnston	2013-48
Jose Raul Arredondo	Kernersville	Forsyth	2014-84
Clint Thomas	Midland, GA	Out of State	2014-107
Christopher Register	Raleigh	Wake	2014-6
George Oman	Cary	Wake	2013-252
David Carson Durham	Whitsett	Guilford	2014-65
Robert Peterson	Hope Mills	Cumberland	2013-256
David William Maldonado	Portsmouth, VA	Pasquotank	2014-53
Darwin Maradiago	Tarboro	Edgecombe	2013-270
Luis Rivera	Clinton	Sampson	2014-79
Richard J. Raines	Hickory	Catawba	2014-87
John Ramirez	Charlotte	Mecklenburg	2014-94
Michael Pope	Asheville	Buncombe	2014-98
Nathan E. Pembleton	Black Mountain	Buncombe	2014-100
Richard Jones	Midway Park	Onslow	2014-104
Resuzio Gozalez	Summerfield	Guilford	2014-112
Brian Roberts	Wilmington	New Hanover	2014-111
George Lane	Bohemia, NY	Out of State	2014-119

NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS

Sonic Drive In Corporate Headquarters	Oklahoma City, OK	Out of State	2014-123
Michael Cocuzza	Brick, NJ	Out of State	2014-133
Glenn Richard Winkler	Hickory	Catawba	2014-165
Alan Neil Carver	Marion	McDowell	2014-174
John Ellis	Myrtle Beach, SC	Out of State	2013-206
Mark Keith Mabe	Rural Hall	Forsyth	2014-131
Marcus Lytrell Cherry	Greenville	Pitt	2014-27
Brenda Renouard	Morrisville	Wake	2014-139
Shannon Thorpe	Reidsville	Guilford	2014-153
Patricia K. Cagle	Dade City, FL	Out of State	2014-173

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.

Fax or Mail Completed Form to: State Board of Examiners of Electrical Contractors, P. O. Box 18727, Raleigh, NC 27619, Fax (800) 691-8399

(Please print or type) Name _____

License Number _____ Business Name _____

Business Mailing Address _____

City _____ State _____ Zip Code _____

(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 Code _____

North Carolina State Board of Examiners
Of Electrical Contractors
P. O. Box 18727
Raleigh, NC 27619-8727

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