

## NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

# NEWSLETTER

AUGUST 2015, EDITION #68

### MESSAGE FROM THE CHAIRMAN

The Board of Examiners of Electrical Contractors began a new fiscal year July 1, 2015. I thank the Board members for allowing me to serve as the Chairman for another year. We have a new Board member, Richard Jones. We welcome Richard to the Board and are looking forward to serving with him. Richard replaces Don Harrison who completed an outstanding seven year term this year. Don and now Richard represent the Carolina Electrical Contractors Association.

The past year has been busy for the Board members and for the staff. Tim Norman has completed his first year as the Executive Director very successfully. The Board had its third quarter Board meeting March 2015 in conjunction with a three day training and planning workshop in Lexington, NC. Many items that we expect will help your Board of Examiners to conduct its business more effectively and economically have already been implemented by Tim and the staff. The 2015-2016 budget adopted in June 2015 is less than the 2014-2015 budget. Items such as travel, printing and financial procedures were some of the ways that is expected to save money and still maintain the level of service that is expected from the Board. However, it was necessary for a small increase in license renewal fees. This increase became effective July 1, 2015.

One problem that is affecting everyone is the "graying" of our electrical contractors. Records show that the average age of licensed electrical contractor has increased to 55+ years. Coupled with the decrease number of people even applying for the electrical contractor exam raises a concern for where our industry will be in future decades. The Board has formed a special task group to examine, discuss, and

create strategies to address this concern. Be sure to contact the Board if you would like to help with this project.

Keep up with the Board's doings on our web site - [www.ncbeec.org](http://www.ncbeec.org)

James Carpenter, Chairperson

### NEW BOARD MEMBER APPOINTMENT

Mr. Richard Jones was appointed to the North Carolina State Board of Examiners of Electrical Contractors by Governor Pat McCrory on July 9, 2015 replacing Mr. Don Harrison. Mr. Jones represents CECA (Carolina Electrical Contractors Association).

Mr. Jones and his wife Susan reside in Oxford, NC and he is vice-president of operations at Bryant Durham Electric.

Mr. Jones' term will expire June 30, 2022.

### 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 \$35.00 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](http://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.

North Carolina State Board of  
Examiners of Electrical Contractors  
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Raleigh, NC 27609  
Telephone: (919) 733-9042  
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Website: www.ncbeec.org

Pat McCrory, Governor

### BOARD MEMBERS

Jim Carpenter, **Chairman**  
Durham, NC  
Dr. John Kelly, **Vice Chairman**  
Greensboro, NC

Tim Bradley  
Raleigh, NC  
Mark Griffin  
Monroe, NC  
Gerald Harvell  
Concord, NC  
Richard Jones  
Durham, NC  
Johns Martin  
Greensboro, NC

### STAFF MEMBERS

Tim Norman  
Executive Director  
William A. Parris  
Cont. Ed & Exam Manager/  
Enforcement Coordinator  
Mitch Bryant  
Field Representative/Investigator  
Robert H. Lawson  
Field Representative/Investigator  
Roy A. Wilson  
Field Representative/Investigator  
Mary B. Higgins  
Office Manager  
Michelle A. Ames  
Administrative Program Assistant-  
Exam Applications & Investigations  
Robert C. Bissette  
Administrative Program Assistant-  
Continuing Education & Licensing  
Tonya M. Lynch  
Administrative Program Assistant-  
Reception & Licensing  
Epsie D. Stevens  
Records Manager

## WB MOORE NATIONAL SAFETY AWARDS

WB Moore was named the recipient of two prestigious national safety awards at the Association of General Contractors (AGC) Annual Convention in San Juan, Puerto Rico last week.

The First Place Safety Award for Construction Safety Excellence in the Specialty Contractors Division 300,000 - 600,000 hours worked category was bestowed upon the WB Moore Company for its management, commitment to safety and strong safety culture and credentials. We were also awarded the most prestigious safety award as the "Grand Award Winner" from all walks of safety construction in the United States at the convention.

To win these prestigious awards the WB Moore Company had to compete with over 33,000 potentially eligible construction companies from across the United States. WB Moore's safety curriculum was meticulously reviewed by the AGC of America where their Safety & Health Committee closely examined each candidate's commitment to safety and risk control. Each of the 60 national finalists chosen from across the country were then given an opportunity at the AGC National Convention to provide an in-depth oral presentation of their company's commitment to safety.

The winners were selected by a panel of nationally distinguished judges from the public, private and non-profit sections; represented by Federal government, Department of Defense, heavy civil industry, owners, general contractors, OSHA and insurance risk management. They all looked for evidence of a company's management, commitment, active employee participation, safety training, work site hazard identification and control, and safety program innovation.



The national judging criteria included: overview of a company's safety programs, increased employee involvement in safety, new programs, procedures or resources a company uses to promote safety, management's commitment to safety, specific and unique activities the company does or provides to promote safety. WB Moore has never suffered a work related catastrophic injury or fatality or ever been issued an OSHA citation or violation.

The Grand Award Winner is deemed the 'Best of the Best' and the title is bestowed to a company that excels at safety performance from the categories of building, heavy highway, municipal and specialty construction. "Our firm's continued commitment to safety has earned us many safety awards throughout the company's history," states its President, Billy Graves, "but this one is especially gratifying as the WB Moore Company was predominately acknowledged on a national level in front of over 1,000 of our construction peers at this special gathering in San Juan. We have an exemplary safety culture, an outstanding safety record, a focused Safety Committee, and management and jobsite leaders who are all committed to making safety their top priority." The WB Moore Company is proud to be the 2015 recipient of this prestigious award.

**2014 CONTINUING EDUCATION INSTRUCTOR OF THE YEAR**

The Board presented to Mr. Jeffrey Ryan Simpson the 12th Annual Continuing Education Instructor of the Year award.

Mr. Simpson has been a consistent resource for our industry, serving as an educator and mentor to many electricians, inspectors and electrical contractors across the country. He instructs electrical continuing education courses approved by NC Board of Examiners of Electrical Contractors and the NC Code Qualifications Board, Office of State Fire Marshall. Mr. Simpson’s courses are an asset to those in the industry and those who seek quality continuing education services.

Mr. Simpson is an Electrical Codes Instructor at Jade Learning Inc. He previously supervised the Durham City/County Electrical Inspections Department and holds a NC Unlimited electrical contractors license. Prior to that, he worked at the City of Peoria in Arizona as a Senior Electrical Inspector and was licensed in Arizona as an electrical contractor. He taught electrical code classes at Glendale Community College and taught classes for the Independent Electrical Contractors Association. He is currently the Continuing Education Coordinator for the NC Ellis Canady IAEI Chapter. Mr. Simpson is an Electrical Standard Level 3 Inspector and holds 25 certifications through the International Code Council including Master Code Professional. Mr. Simpson is also certified as a Master Electrical Inspector through the International Association of Electrical Inspectors.

Mr. Simpson strives to help the Electrical Industry stay on top of the newest changes and stay productive in the changes of our Industry.

Mr. Simpson joins an elite class of past recipients of this award. Past recipients:

- |                              |                                |                                 |
|------------------------------|--------------------------------|---------------------------------|
| 2003 – Lloyd Harold Maynard  | 2007 – William Gerald Harvell  | 2011 – Tim Walker               |
| 2004 – Don Allen Hursey      | 2008 – Wiley Ray Hardee        | 2012 – Robert Dale Litten       |
| 2005 – Albert Thomas Russell | 2009 – Jeffrey James Rodriquez | 2013 – Daniel James Thomas, Jr. |
| 2006 – Robert Ivy Gossett    | 2010 – Robin Lee Soots         |                                 |

**UPDATE YOUR CONTACT INFORMATION**

You may use this form to notify the Board of any change in mailing address and telephone number. You may also add your e-mail and web address to your record. Please use this form to keep us informed.

**Completed Forms may be faxed, emailed or mailed to:**

State Board of Examiners of Electrical Contractors, 3101 Industrial Drive, Suite 206, Raleigh, NC 27609  
Telephone: (919) 733-9042 Fax: (800) 691-8399 Email: info1@ncbeec.org

(Please print or type) Name \_\_\_\_\_

License Number \_\_\_\_\_ Business Name \_\_\_\_\_

Business Mailing Address \_\_\_\_\_  
*(If using a P. O. Box, please complete the location address below)*

Telephone \_\_\_\_\_ Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Business Location Address \_\_\_\_\_

## ELECTRICAL CONTRACTING LICENSING CHANGED FOR WELL CONTRACTORS:

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 NC State Board of Examiners of Electrical Contractors.

Senate bill 734 became law on September 18, 2014 and eliminated the requirement for well contractors to possess an electrical contracting license for part of the wiring to a well pump.

The exact language from Senate Bill 734 is as follows:

GS 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."

However, the laws of this State continue to require that any person, firm or corporation seeking to install, maintain, or repair wiring on the line side of a pressure switch for groundwater pump equipment, such person, firm or corporation must first qualify and hold an electrical contracting license issued by the NC State

Board of Examiners of Electrical Contractors.

In addition, the partial exemption does not relieve the obligation to obtain an Electrical Permit from the local Inspection Jurisdictions, as required by GS 153A-357 or GS 160A-417 for wiring installations of well pumps. Electrical Permits are required for compliance, and are an aid in public safety and liability protection.

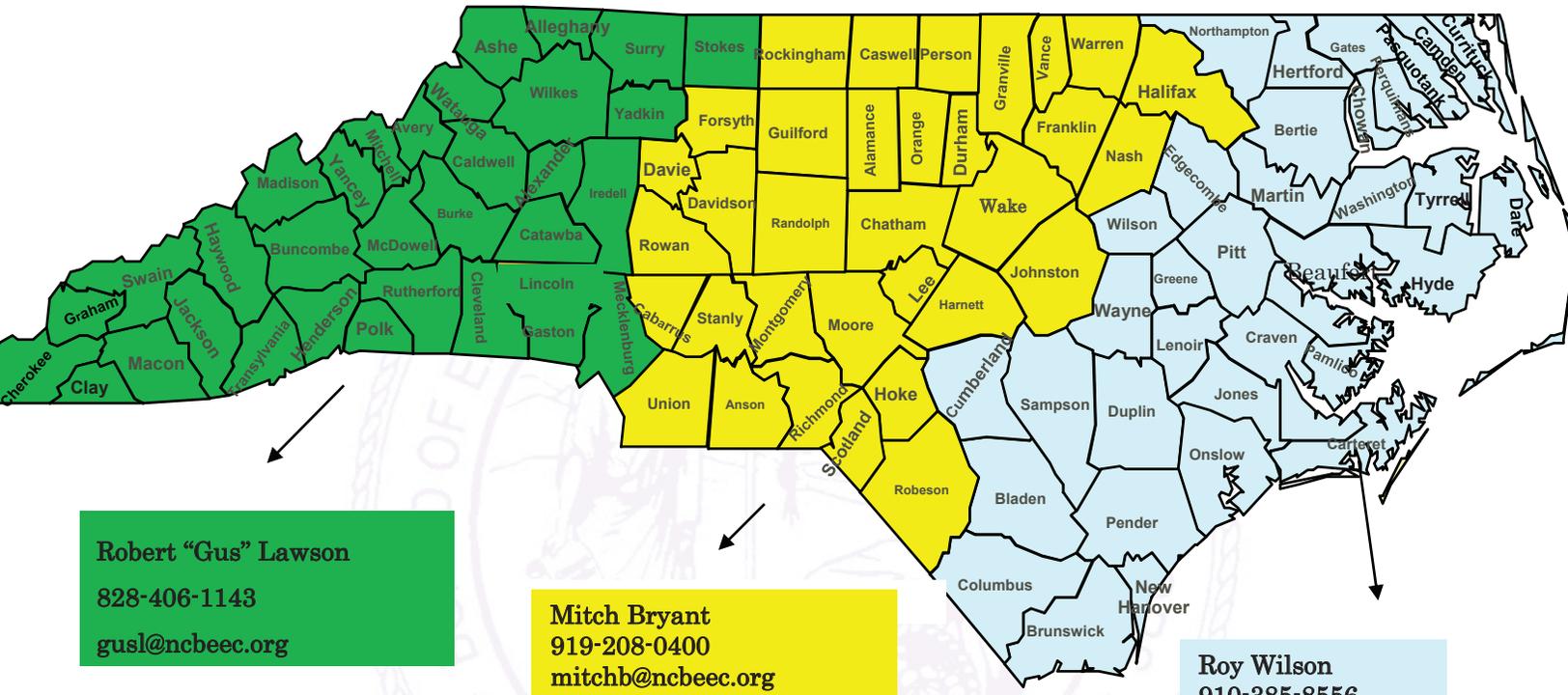
Visit the Electrical board website: [www.ncbeec.org](http://www.ncbeec.org). The Board encourages use of this site and provision of feedback to the Board office. The Email address is [info1@ncbeec.org](mailto:info1@ncbeec.org).

Because of the limited amount of wiring which can be done under the partial exemption above, many well contractors will still choose to take the qualifying examination for a limited electrical contracting license. Please call 1-800-392-6102 to receive the necessary application packet or order online at the Electrical Board's Book Store at <http://www.ncbeec.org/shop/>. You may view a copy of the Board's Examination Handbook under "Need a Form" at: <http://www.ncbeec.org/wp-content/uploads/2014/10/2014PSIExamBulletin.pdf>.

If you should have questions concerning the electrical contracting licensing laws and the scope of such licenses, you should contact the NC State Board of Examiners of Electrical Contractors, PO Box 18727, Raleigh, North Carolina 27619-8727, Telephone (919) 733-9042 Ext. 203 or [aparris@ncbeec.org](mailto:aparris@ncbeec.org).



**INVESTIGATOR TERRITORY**



**Robert "Gus" Lawson**  
828-406-1143  
gusl@ncbeec.org

**Mitch Bryant**  
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**Roy Wilson**  
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rwilson@ncbeec.org

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

### COURT CASES

**CASE FILE NUMBER:** 2012-178

**NON-LICENSEE:** Mickey Moore, d/b/a Moore Mechanical Services

**ADDRESS:** 3304 Wesley Chapel Stouts Road  
Monroe, NC 28110

**VIOLATION:** Engaging in the business of electrical contracting without a license in violation of NC Statutes and a Court Order

**COURT ACTION:** A hearing was held in Mecklenburg County Superior Court on February 20, 2015 after which Mickey Moore was found guilty of Criminal Contempt of Court for violating the terms of a June 19, 2000 Judgment of Permanent Injunction ordering the Defendant to refrain from engaging in business as an electrical contractor at all such times as he is not properly licensed to do so. Mr. Moore was sentenced to ten (10) days of active jail time which time cannot be served concurrently with any other jail sentence the Defendant is serving.

**EFFECTIVE DATE:** February 20, 2015

**CASE FILE NUMBER:** 2013-273

**NON-LICENSEE:** Nathaniel "Nathan" Watson

**ADDRESS:** 1401 Chestnut Dr.  
High Point, NC 27262

**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 December 29, 2014 whereby David Nathaniel "Nathan" Watson 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:** December 29, 2014

**CASE FILE NUMBER:** 2014-26

**NON-LICENSEE:** Rick Goins d/b/a K & R Roofing

**ADDRESS:** 628 Park Ave.  
Eden, NC 27288

**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 March 12, 2015 whereby Rick Goins individually and d/b/a K&R Roofing 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:** March 12, 2015

**CASE FILE NUMBER:** 2014-132

**NON-LICENSEE:** Michael S. Torrence d/b/a Torrence Sports Lighting, Inc.

**ADDRESS:** 14211 Grand Traverse Dr.  
Charlotte, NC 28278

**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 October 9, 2014 whereby Michael S. Torrence individually and d/b/a Torrence Sports Lighting, 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:** October 9, 2014

**CASE FILE NUMBER:** 2014-150

**NON-LICENSEE:** Eddie Quillin d/b/a Eddies Home Improvements

**ADDRESS:** 2915 Arnold Rd  
Lexington, NC 27006

**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 January 22, 2015 whereby Eddie Quillin individually and d/b/a Eddie's home Improvements 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:** January 22, 2015

**CASE FILE NUMBER:** 2014-189

**NON-LICENSEE:** Alfred Berduo

**ADDRESS:** 1015 Arbor Drive, Apt. L  
Greensboro, NC 27401

**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

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

March 10, 2015 whereby Alfred Berduo 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:** March 10, 2015

**CASE FILE NUMBER:** 2014-209

**NON-LICENSEE:** Donovan Jones

**ADDRESS:** 195 Meadow Rd.  
Lumberton, NC 28358

**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 8, 2015 whereby Donovan Jones 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 8, 2015

## NOTICE OF VIOLATIONS

**CASE FILE NUMBER:** 2001-61

**LICENSEE:** Lightning Electric Enterprises

**ADDRESS:** 296 Meadowlark Lane  
Columbus, NC 28722

**LISTED QUALIFIED INDIVIDUAL:** Frank Thomas Cochran

**LICENSE NUMBER:** 19633-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (1) and (7) in that the firm:

(1) On or about October 3, 2001 continued to operate and electrical contracting business with an expired license for an electrical project located at 2051 Warrior Drive, Tryon, NC;  
(2) On or about January 15, 2002, Frank Cochran admitted contracting the electrical project and receiving \$225.00 from a home owner and abandon the electrical project. Frank Cochran agreed with Board's Field Staff that Frank Cochran would pay the home owner the \$225.00 plus interest by the end of February 2002 and failed to do so. Consequently the owner applied to the Polk Count Civil Court for assistance and the Court issued a judgement October 25, 2001 that home owner be paid restitution in the amount of \$225.00 plus interest through the court processing system; and  
(3) Engaged in misconduct in the practice of electrical contracting.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and two (2) year probation, with suspension or revocation 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 violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

Staff notes that on April 10, 2015 Frank Cochran paid the Polk County Courts restitution in the amount of \$802.00 for amount owed to homeowner including interest and court cost and fees.

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

**EFFECTIVE DATE:** June 18, 2015

**CASE FILE NUMBER:** 2013-254

**LICENSEE:** Shelley Electric

**ADDRESS:** 3258 West Lexington Avenue  
High Point, NC 27262

**LISTED QUALIFIED INDIVIDUAL:** Steven Dale Shelley

**LICENSE NUMBER:** 29117-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (5), (7) and Title 21 NCAC 18B .402 (b) in that the firm: Operated business in a name other than name issued by the Board. Qualifier while employed with Expert Mechanical Systems Inc. d/b/a Central Triad Services obtained (15) fifteen electrical permits under the name of Shelley Electric.

**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:** March 5, 2015

**CASE FILE NUMBER:** 2014-28

**LICENSEE:** William Freeman`s Electrical Service

**ADDRESS:** P. O. Box 215  
Hamilton, NC 27840

**LISTED QUALIFIED INDIVIDUAL:** William Freeman

**LICENSE NUMBER:** 22607-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3) and (7) in that the firm:

(1) Aided and abetted Marcus Cherry, an unlicensed person, to engage in electrical contracting; and  
(2) Allowed Marcus Cherry to perform electrical wiring under the license of William Freeman`s Electrical Service without being a bona fide employee at Project Anna, 120 S. Skinner St., Greenville.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) and one (1) year probation, with six (6) months suspension or revocation 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:

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

- (1) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;
- (2) 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;
- (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) Maintain job files or other written records of contracts made and installations performed;
- (5) 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;
- (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:** March 5, 2015

**CASE FILE NUMBER:** 2014-44

**LICENSEE:** Residential Elevators Inc.

**ADDRESS:** 2910 Kerry Forest Pkwy D4-1  
Tallahassee, FL 32309

**LISTED QUALIFIED INDIVIDUAL:** Billy K. Lawhon

**LICENSE NUMBER:** 29289-SP-EL

**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 and inspection within ten (10) days of completion on an electrical project at 516 East Jones Street, 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) 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 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:** June 18, 2015

**CASE FILE NUMBER:** 2014-57

**LICENSEE:** IES Residential Inc.

**ADDRESS:** 4400 Morris Park Drive, Suite C  
Charlotte, NC 28227

**LISTED QUALIFIED INDIVIDUAL:** Jeremy Andrew Franze

**LICENSE NUMBER:** 27096-U

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3) and (7) in that the firm:

Aided and abetted unlicensed activity in that you sub-contracted labor from Critical Systems of 21225 Burgess Rd. Chester, VA and Aguirre's Electric of Locust, NC 28097 and paid by use of tax form 1099. These firms do not hold a valid electrical contracting license from the NC State Board of Examiners of Electrical Contractors.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of one thousand (\$1000.00) 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:

- (1) Utilize only firms holding a valid North Carolina electrical contracting license and/or 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
- (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:** March 5, 2015

**CASE FILE NUMBER:** 2014-66 and 2014-89

**LICENSEE:** E. C. Rhodes Electrical Company

**ADDRESS:** P.O. Box 2788  
Kinston, NC 28502

**LISTED QUALIFIED INDIVIDUAL:** Ernest Claude Rhodes

**LICENSE NUMBER:** 11066-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (2), (3) and (7) in that the firm:

- (1) Sold or transferred license by aiding and abetting Marcus (Unknown last name), an unlicensed person, to engage in electrical contracting at 1205 West Craven Middle School Rd., New Bern and 902 Crane Dr., New Bern;
- (2) Failed to provide adequate supervision in the use of electrical contracting license by allowing Marcus to perform electrical wiring under license; and
- (3) Engaging in unethical conduct, fraud and deceit.

**BOARD ACTION:** The Board, acting through its staff, proposed suspension of license for six (6) months followed by two (2) year probation, with revocation 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) No further violation of the General Statutes or the Rules

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

of the Board;

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

(3) Obtain all required electrical permits prior to starting any electrical projects;

(4) Properly supervise and direct all employees and projects; and

(5) 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.

Note: Ernest Claude Rhodes surrendered license November 26, 2014 and suspension starts this day.

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

**EFFECTIVE DATE:** March 5, 2015

**CASE FILE NUMBER:** 2014-129

**LICENSEE:** Quality Mechanical Contractors LLC

**ADDRESS:** 3032-A Rock Hill Road  
Burlington, NC 27215

**LISTED QUALIFIED INDIVIDUAL:** Samuel Dexter Ray

**LICENSE NUMBER:** 14188-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:

(1) Failed to obtain required electrical permit before commencement of electrical work on projects located 1025 Howard St. Greensboro, NC 27403, 703 E. Gilbreath St. Graham, NC 27253 and 100 S Main St, Landis, NC 28088; and

(2) Have aided and abetted unlicensed activity in that you sub-contracted labor from J Davis Holding 3032-A Rock Hill Rd. Burlington, NC 27215 which paid their employees by form 1099.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) 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:

(1) Obtain electrical permits and final inspections on electrical projects located 1025 Howard St. Greensboro, NC 27403, 703 E. Gilbreath St. Graham, NC 27253 and 100 S Main St, Landis, NC 28088;

(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;

(3) Complete the work, correct all code violations and request final inspection approval within (10) days of this notice;

(4) 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

(5) 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:** March 5, 2015

**CASE FILE NUMBER:** 2014-159

**LICENSEE:** Leslie's Poolmart Inc

**ADDRESS:** 1973 Trestlebrook Way  
Buford, GA 30519

**LISTED QUALIFIED INDIVIDUAL:** Richard Stanley Corlett

**LICENSE NUMBER:** 28806-SP-SP

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (1) and (7) in that the firm:

(1) Continued to operate your electrical contracting business after license expired; and

(2) Exceeded the scope of your SP-SP electrical contracting license in that you and your firm installed and wired electrical swimming pool equipment at a residential home located at 1080 Baron Road, Waxhaw NC.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) 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 condition:

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:** March 5, 2015

**CASE FILE NUMBER:** 2014-210

**LICENSEE:** Mega Electrical Services Inc.

**ADDRESS:** 617 W. Elm St.

Graham, NC 27253

**LISTED QUALIFIED INDIVIDUAL:** Lee Steven Fuller

**LICENSE NUMBER:** 29743-U

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3) and (7) in that the firm:

1. Have aided or abetted unlicensed activity in that you sub-contracted labor from Nicolas Cruz Benlitez of 727 Massenoil Pond Rd. Angier, NC, Juan Carlos Ortega of 612 Avery St. Garner, NC and Luis A Diaz of 6411 Whitt Rd., Durham, NC and paid by use of tax form 1099. These firms do not hold a valid electrical contracting license from the NC State Board of Examiners of Electrical Contractors; and

2. Have aided and abetted unlicensed activity in that you sub-contracted labor to Arroyo Electric license #27150-I for an electrical project with total project value of \$865,570.00.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) and one (1) year probation, with one (1) year

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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; and
- (3) Licensee shall not allow a permit to be obtained or his license number to appear upon a permit except for work which he or his employees perform, over which he will provide general supervision until the completion of the work, for which he holds an executed contract with the licensed general contractor or property owner and for which he receives all contractual payments.

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

**EFFECTIVE DATE:** June 18, 2015

**CASE FILE NUMBER:** 2014-211

**LICENSEE:** East Coast Electrical Services Inc of NC

**ADDRESS:** P.O. Box 446

Holly Springs, NC 27540

**LISTED QUALIFIED INDIVIDUAL:** Michael P. Ryan

**LICENSE NUMBER:** 27178-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (1), (3), (6) and (7), Title 21 NCAC 18B .0301, .0402 (a) (b), 0907 (c) and .0909 (b) in that the firm:

- (1) East Coast Electrical Services Inc of NC of Holly Springs, NC is a part time business owned by David Ptasinski, a bona fide employee. Firm failed to have at least one listed qualified individual regularly on active duty at this location;
- (2) Michael P. Ryan failed to be regularly on active duty as a listed qualified individual for East Coast Electrical Services, Inc. of NC in that he resides at 320 Brittney Cove, Loganville, Georgia;
- (3) Aided or abetted unlicensed activity in that firm hired independent contractor (NC tax form 1099), Fransisco Almanzar, to install electrical wiring on small electrical projects and Fransisco Almanzar was not supervised by a qualified individual listed with the Board;
- (4) Aided and abetted unlicensed firm, NEC Power LLC, to rough wire and trim four houses located at 523, 529, 533 and 537 Lee Street, Holly Springs, using non-licensee, Fransisco Almanzar, as a subcontractor ;
- (5) Operating in different names other than listed with the Board using names, East Coast Electrical Services Inc., East Coast Electrical Services and Michael Ryan; and
- (6) Engaged in deceit or unethical conduct in the use of your license.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and two (2) year probation, with revocation 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) East Coast Electrical Services Inc of NC must close all electrical contracting operations immediately until firm is properly licensed by the NC State Board of Examiners of Electrical Contractors and at least one listed qualified individual is readily and active on duty at 125 Sudano Court, Holly Springs, NC 27540;
- (2) Michael P. Ryan must complete the Contractor Business Class approved by the NC State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade by March 25, 2016;
- (3) 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;
- (4) Maintain job files or other written records of contracts made and installations performed;
- (5) 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;
- (6) Licensee shall not allow a permit to be obtained or his license number to appear upon a permit except for work which he or his employees perform, over which he will provide general supervision until the completion of the work, for which he holds an executed contract with the licensed general contractor or property owner and for which he receives all contractual payments;
- (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; and
- (8) 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:** June 18, 2015

**CASE FILE NUMBER:** 2014-217

**LICENSEE:** Stamey Brothers Electric Inc.

**ADDRESS:** 211 N. Main Street

Landis, NC 28088

**LISTED QUALIFIED INDIVIDUAL:** Ricky Dale Stamey

**LICENSE NUMBER:** 1533-U

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (5) and (7) in that the firm:

Have aided or abetted unlicensed activity in that Ricky Dale Stamey allowed Mr. Jeremy Ritchie to contract and install electrical wiring on a project Ricky Dale Stamey supervised without Mr. Ritchie being a NC Tax forms W-4 / W-2 employee.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

(\$500.00) with a 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) 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;
- (2) Maintain job files or other written records of contracts made and installations performed;
- (3) 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;
- (4) Licensee shall not allow a permit to be obtained or his license number to appear upon a permit except for work which he or his employees perform, over which he will provide general supervision until the completion of the work, for which he holds an executed contract with the licensed general contractor or property owner and for which he receives all contractual payments;
- (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; and
- (6) 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:** June 18, 2015

**CASE FILE NUMBER:** 2014-223

**LICENSEE:** International Electrical Solutions

**ADDRESS:** 9519 Misty Arbor Way  
Charlotte, NC 28269

**LISTED QUALIFIED INDIVIDUAL:** Michael Andre' Norman

**LICENSE NUMBER:** 27471-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3 and (7) in that the firm:

Aided and abetted unlicensed activity sub-contracting labor from Jose Alberto Velazquez and paid by use of tax form 1099. This individual does not hold a valid electrical contracting license from the NC State Board of Examiners of Electrical Contractors.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) 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:

- (1) 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

(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:** March 5, 2015

**CASE FILE NUMBER:** 2014-230

**LICENSEE:** IES Residential Inc.

**ADDRESS:** 1021-A Technology Drive  
Indian Trail, NC 28079

**LISTED QUALIFIED INDIVIDUAL:** Kirt Anthony Biagas

**LICENSE NUMBER:** 27096/01-U

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3) and (7) in that the firm:

Aided and abetted unlicensed activity in that IES Residential Inc. sub-contracted labor from Jose Alberto Velazquez and paid by use of tax form 1099. This individual do not hold a valid electrical contracting license with the NC State Board of Examiners of Electrical Contractors.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$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 violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
- (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.

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

**EFFECTIVE DATE:** March 5, 2015

**CASE FILE NUMBER:** 2014-235

**LICENSEE:** Volt Electric USA Inc

**ADDRESS:** 31 Gudger Road  
Candler, NC 28715

**LISTED QUALIFIED INDIVIDUAL:** Timothy Jay Voth

**LICENSE NUMBER:** 22483-L

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (4), (5) and (7) in that the firm:

- (1) Have been operating in a name other than that in which your license is issued with the Board; and
- (2) Have aided or abetted unlicensed activity in that you failed to utilize only employees receiving tax forms W-4 and W-2 forms.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) and one (1) 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

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

conditions:

- (1) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;
- (2) 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;
- (3) 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
- (4) 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:** March 5, 2015

**CASE FILE NUMBER:** 2015-7

**LICENSEE:** Mark Cook Electric

**ADDRESS:** 3262 Patriot Place  
Graham, NC 27253

**LISTED QUALIFIED INDIVIDUAL:** Mark Allen Cook

**LICENSE NUMBER:** 17394-L

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

1. Failed to obtain required electrical permit before commencement of electrical work for wiring of a HVAC system located 24212 Atwood St. Burlington, NC and 302 Chestnut St. Burlington, NC; and
2. Failed to obtain final inspections on multiple electrical permits issued to Mark Cook Electric in the local jurisdiction of the City of Burlington and Alamance County.

**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 inspections on all open permits under the name of Mark Cook Electric in the local jurisdiction of City of Burlington;
- (2) Obtain final inspection on all open permits under the name of Mark Cook Electric in the local jurisdiction of Alamance County;
- (3) 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;
- (4) 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:** June 18, 2015

**CASE FILE NUMBER:** 2015-29

**LICENSEE:** Moursy Electric & Service Inc

**ADDRESS:** 5217 Trackway Drive  
Knightdale, NC 27545

**LISTED QUALIFIED INDIVIDUAL:** Mohamed Aly Moursy

**LICENSE NUMBER:** 14589-U

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

Failed to supervise and direct an electrical wiring project at 8446 Seven Paths Rd. Spring Hope, NC. Mr. Moursy is cautioned, to protect himself from verbal contracts and disagreements, to obtain written contracts for all electrical projects.

**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:** June 18, 2015

**CASE FILE NUMBER:** 2015-15

**LICENSEE:** Almighty Electrical Installations LLC

**ADDRESS:** 4220 Howie Circle  
Charlotte, NC 28205

**LISTED QUALIFIED INDIVIDUAL:** Brian Romaine White

**LICENSE NUMBER:** 29984-U

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3) and (7) in that the firm:

Aided or abetted unlicensed activity in that firm allowed Mr. Vincent Thompson to contract and install electrical wiring on a project without Mr. Thompson being a NC Tax forms W-4 /W-2 bona fide employee.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) and one (1) 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) 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;
- (2) Maintain job files or other written records of contracts made and installations performed;
- (3) 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;
- (4) Licensee shall not allow a permit to be obtained or his license number to appear upon a permit except for work which he or his employees perform, over which he will provide general supervision until the completion of the work, for which he holds an executed contract with the licensed general contractor or property owner and for which he

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

receives all contractual payments;

(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; and

(6) 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:** June 18, 2015

**CASE FILE NUMBER:** 2015-18

**LICENSEE:** Adams Electric Company

**ADDRESS:** 5505 David Cox Road  
Charlotte, NC 28269

**LISTED QUALIFIED INDIVIDUAL:** Phillip Daniel Parrish

**LICENSE NUMBER:** 00196/02-U

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

Failed to comply with Board rules in that Phillip Parrish continued to engage in electrical contracting at 4147 Goldmine Rd. Monroe, NC after the electrical project had been altered to not include the electrical wiring originally approved by permit.

**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:** June 18, 2015

**CASE FILE NUMBER:** 2015-25

**LICENSEE:** D. Humphrey Electric Co.

**ADDRESS:** 109 E F Street  
Butner, NC 27509

**LISTED QUALIFIED INDIVIDUAL:** Derrick Humphrey

**LICENSE NUMBER:** 22003-SP-SFD

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

(1) Installed electrical contracting work 111 E. Lynch St. Durham, NC with violations of the State Electrical Code (2011 National Electrical Code) with multiple code violations; and  
(2) Changed and energized electrical service to new 400 ampere service with two 200 ampere main breaker panels without an inspection.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$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; and

(2) Obtain inspections within ten (10) days of substantial completion for 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:** June 18, 2015

**CASE FILE NUMBER:** 2015-48

**LICENSEE:** Arroyo Electric

**ADDRESS:** 1204 Lone Hickory Rd.  
Yadkinville, NC 27055

**LISTED QUALIFIED INDIVIDUAL:** Jose Alfredo Arroyo

**LICENSE NUMBER:** 27150-I

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (1) and (7) in that the firm:

Exceeded the scope of electrical contracting license in that firm sub-contracted to provide labor for an electrical project known as Three Moose Village LLC, located in Cullowhee, NC with a total electrical value of \$865,570.00.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$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) Jose Arroyo and Arroyo Electric must void any commitment to the electrical project known as Three Moose Village LLC located Cullowhee, NC. The project, if continued, must be awarded to a person, partnership, firm or corporation holding a valid Unlimited license issued by the Board;

(3) 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;

(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; and

(6) 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:** June 18, 2015

**CASE FILE NUMBER:** 2015-61

**LICENSEE:** Gregory Poole Equipment Company-Power Systems Division

And Niclaus Electrical Education, Fuquay Varina, NC

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

**ADDRESS:** 3201 Integrity Drive  
Garner, NC 27529

**LISTED QUALIFIED INDIVIDUAL:** Michael D. Niclaus

**LICENSE NUMBER:** 28370-U

**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (1), (3), (5) and (7) in that the firm:

(1) Aided or abetted unlicensed activity in that firm obtained an electrical permit in the name of Gregory Poole Equipment Company-Power Systems Division for electrical projects located at 523, 529, 533 and 537 Lee Street, Holly Springs, using, NEC Power LLC, East Coast Electrical Services and Fransisco Almanzar, as independent subcontractors, non-licensees;

(2) Operating in different names other than listed with the Board using names Gregory Poole Power Systems and NEC Power LLC; and

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

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand 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) Michael D. Niclaus must complete the Contractor Business Class approved by the NC State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade;

(2) Niclaus Electrical Education and Michael D. Niclaus as an approved sponsor and instructor is suspended until probation is complete;

(3) 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;

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

(5) 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;

(6) Licensee shall not allow a permit to be obtained or his license number to appear upon a permit except for work which he or his employees perform, over which he will provide general supervision until the completion of the work, for which he holds an executed contract with the licensed general contractor or property owner and for which he receives all contractual payments;

(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; and

(8) 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

concurrent in the action of staff.

**EFFECTIVE DATE:** June 18, 2015

## ORDERS

**CASE FILE NUMBER:** 2007-169

**LICENSEE:** It's Electric

**ADDRESS:** 3081 Prytania Road  
Winston Salem, NC 27106

**LISTED QUALIFIED INDIVIDUAL:** Jerry Milton Haynie

**LICENSE NUMBER:** 24487-L

**VIOLATION(S):** 1. License was permanently revoked by Order entered December 29, 2008, and Petitioner has not been licensed since the Order took effect on January 28, 2009.

2. Petitioner appealed the Board Order to the Superior Court which affirmed the Board. The Petitioner appealed the Superior Court Order to the Court of Appeals which affirmed the Superior Court and Board on December 21, 2010.

3. Petitioner previously requested reinstatement in 2011. At that time, Board staff suggested to Petitioner that the likelihood of favorable action on his request could be enhanced if he produced evidence demonstrating his efforts to redress the harm he caused to the church which was the victim of his earlier acts and omissions. Petitioner produced no evidence of such actions since license was revoked.

4. Petitioner did produce evidence that he had taken continuing education classes during 2011. Petitioner did not produce evidence of employment as an unlicensed person working for an electrical contractor or other work demonstrating knowledge of current provisions of the Electric Code. Petitioner's 2011 Request for Reinstatement was denied by an Order of the Board issued on December 8, 2011.

5. Petitioner made a new Request for Reinstatement November 17, 2014. Petitioner appeared pro se despite suggestion by letter dated February 11, 2015 that Petitioner engage counsel to assist him in organizing evidence of such things as continuing education, practical experience, restitution and community service to assist in demonstrating why the Committee should look favorably upon his request.

7. Petitioner has provided an insufficient showing evidence of changes in his business ethics to corroborate his assertion that the practices which resulted in revocation would not be repeated. In particular, the Committee was troubled by the lack of documentation to corroborate the Petitioner's claimed efforts of attempted restitution.

**BOARD ACTION:** The Disciplinary Committee recommended:

1. The Petitioner's request that his license be reinstated be denied.

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

2. Petitioner may submit a request for reinstatement again after a period of twelve (12) months from the date of this Order.

3. The Petitioner is advised to understand that actions directed to redress the damage and loss suffered by the victims, or work within the industry or action in the community demonstrating change will be important in convincing the Board to reinstate license.

There was no objection to the Committee recommendation from Mr. Haynie before the deadline to do so, and the Recommended Order was approved by the Board as a Final Decision June 18, 2015

**EFFECTIVE DATE:** June 18, 2015

**CASE FILE NUMBER:** 2011-171

**LICENSEE:** C & M Electrical Contractors LLC and Melton Electrical Contractor & Design LLC

**ADDRESS:** P. O. Box 699  
Candler, NC 28715

**OWNER/PRESIDENT:** George D. Melton Jr.

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

1. The license of C&M Electrical Contractors LLC has been suspended since May 25, 2013 for misconduct as determined by the Board in the Order dated April 25, 2013.

2. Respondent Melton, by reason of the Board Order, has been unable to engage a qualified individual or to place in operation his new firm. Melton Electrical Contractors & Design, LLC.

3. Despite a prior Order from the Board, Respondent Melton has failed in repayment of \$29,370.00 to Hamlett Associates, Inc. occasioned by a false lien waiver; however, the court has entered a personal judgment against Mr. Melton in favor of Hamlett Associates, Inc., which can be pursued for twenty years.

4. This matter was heard as an Administrative appeal in Haywood County Superior Court on February 23, 2015 and the court entered an Order on Judicial Review and remanded the matter to the Board for reconsideration of the sanction to be imposed upon the Respondent, based on the interplay of revocation and suspension set out in the statutes enforced by the Board.

**BOARD ACTION:** After a hearing on June 17, 2015 the Board ORDERED:

1. The Board reaffirms the Findings of Fact entered in the prior Order dated April 15, 2013.

2. At such time as Melton Electrical Contractors & Design, LLC, and any other entity in which Respondent George Melton is Officer, Director, Manager or full-time employee, obtains license from the Board, such firm is placed on probation until this Order has been in effect twelve (12) months.

3. Respondent Melton is directed to sit for the examination conducted by the Board for license in the category desired by Respondent and for which his experience qualifies him. In

the event Respondent obtains qualification from the Board, this probation Order is to be terminated.

4. Mr. Melton is admonished that his business and firm have been severely impacted for a period of two years as a result of his serious misconduct; efforts to place blame in other places does nothing to remedy the harm Respondent has inflicted on himself. Mr. Melton is admonished to learn from the mistakes outlined in the Order of this Board.

5. During the period of probation outlined above, the Respondent and his firm shall comply with the following requirements:

(a) Implement procedures and supervision adequate to assure that systems pass both rough-in and final inspection 80% of the time without re-inspection;

(b) implement procedures within the business adequate to assure that final inspection is requested within five (5) days of substantial completion of each installation, and that the results of the inspection request are known and of record in the business within a like period of time;

(c) Implement procedures to call for re-inspection, if necessary, within ten (10) days after the request for final inspection;

(d) Obtain permits for all jobs for which license is required;

(e) have written contracts signed by the licensee and customer for each installation for which licensee is responsible, and deliver an executed copy to the customer prior to beginning work; insist on signed change orders where modifications are necessary;

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

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

(h) Maintain the foregoing records, receipts and contracts for immediate review by the staff of the Board upon request

6. In the event of violation of the Probation Order, license and qualification of the individual and firm will be suspended for one (1) year.

**EFFECTIVE DATE:** July 29, 2015

**CASE FILE NUMBER:** 2014-16

**LICENSEE:** Kemble Electrical Service Inc.

**ADDRESS:** P. O. Box 9363  
Greensboro, NC 27429

**LISTED QUALIFIED INDIVIDUAL:** Randall Tyler Kemble

**VIOLATION(S):** 1. The Board entered a Final Order dated December 18, 2014, which was served on the Respondent. The Order provided for payment of a civil penalty within 30 days. The Order also provided for a two year probation and completion of a 6 hour Law and Administration course offered through the Code Officials Qualification Board.

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

2. Respondent requested reconsideration by an email on January 15, 2015.

3. On or about February 2, 2015, Board counsel notified Mr. Kemble that the Board would consider the request based on written submissions at its next meeting on March 5, 2015. Mr. Kemble was invited to submit additional material if he chose to do so. The letter also confirmed receipt of the Board Order by Mr. Kemble on December 29, 2014 and the 30 day appeal deadline. Mr. Kemble was informed that the submission of a request for reconsideration did not stay the effect of the Order and that the penalty was to have been paid by January 17, 2015.

4. On February 9, 2015, Mr. Kemble emailed Board counsel advising that he had accumulated 20 mb of material from multiple jurisdictions regarding his concern about a requirement of permits for smaller jobs for commercial properties or for fixture replacements.

5. Also on February 9, 2015, Board counsel notified Mr. Kemble that it was necessary for any material he wished to submit to be presented to the Board in a documentary form which could be preserved in order that there could be a record of what the Board had before it. Board counsel expressed the view that any material provided should be relevant to the question whether the Board committed some mistake in application of the statutes or rules to Mr. Kemble in its prior Order. Board counsel also advised Mr. Kemble of concern with regard to the failure to pay the penalty in a timely basis and that Board counsel would make sure the Board examined the request of Respondent for more time. Nothing further was received from Mr. Kemble.

6. On March 5, 2015, the Board cleared the room of all persons other than Board members and proceeded to consider the request of Mr. Kemble and the prior Order entered by the Board in December, 2015.

**BOARD ACTION:** 1. The request for reconsideration of the Respondent was considered and reconsideration has occurred on March 5, 2015.

2. The Order dated December 18, 2014 remains in effect except as modified in the succeeding paragraphs:

a. That the license and qualification of Respondent Kemble and Kemble Electrical Services Inc. is placed on probation for a period of two years subject to the following conditions of probation:

b. Respondent shall enroll and complete within six (6) months after this Order becomes effective, the six (6) hour Law and Administration course offered through the N.C. Code Official Qualification Board, such course to be in addition to the minimum required continuing education.

c. Respondent pay the civil penalty of five hundred dollars (\$500.00) previously ordered on December 18, 2014 within 30 days of the entry of this Order rather than from December 18, 2015;

d. Respondent commit no further violations of Article 4, Chapter 87 of the General Statutes or the Rules of this Board;

e. Respondent shall obtain permits as required and deliver signed written proposals for each installation for which licensee is responsible prior to beginning work on any installation ;

f. Respondent shall implement procedures within his business adequate to assure that final inspection is requested within five (5) days of substantial completion of each installation, and that the results of the inspection request are known and of record in the business within a like period of time;

g. Respondent shall implement procedures to call for re-inspection, if necessary, within ten (10) days after the request for final inspection;

h. Respondent shall have written contracts signed by the licensee and customer for each installation for which licensee is responsible;

3. In the event Respondent fails to comply with the terms of his probation, his license and his right to serve as a qualified individual on any license will be suspended for a period of six (6) months. The Board may impose such additional sanctions as are appropriate in the discretion of the Board for any further violations of Article 4, Chapter 87 of the General Statutes or the Rules of this Board.

**EFFECTIVE DATE:** April 30, 2015

**CASE FILE NUMBER:** 2014-23

**EXAM APPLICANT:** Marcus Antonio Barnes

**ADDRESS:** 1208 Garden Grove Lane, Lot #41  
Raleigh, NC 27610

**VIOLATION(S):** 1. The Applicant submitted an Application for Examination on February 3, 2014 for the special restricted plumbing, heating and air condition classification, which, inter alia, disclosed the existence of several criminal convictions including an August 5, 1991 conviction of Second Degree Murder, an August 5, 1991 conviction of Assault with Intent to Kill, and an August 5, 1991 conviction of Robbery with a Dangerous Weapon.

2. The evidence further established that the convictions resulted in a sentence of active jail time.

3. Following his release, the Applicant was placed on supervised probation for a period of 2 years.

4. The Applicant has been employed with Yellow Dot Heating and Air Conditioning since April 5, 2005. His application contains two supporting character statements from other representatives of Yellow Dot Heating and Air Conditioning.

5. The Applicant was issued a license as a Heating Group 3-Class II contractor by the North Carolina State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors and there is no disciplinary record as to that license.

6. The Applicant provided credible testimony as to his efforts to rehabilitate himself, his remorse for his actions which occurred at an early age, his desire to continue his efforts

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

towards remaining a contributing member of society, and his successful track record as an employee of Yellow Dot Heating and Air Conditioning.

7. Based upon the record before the committee and the Respondent's answers to questions during the Hearing, the Applicant was able to sufficiently demonstrate good character and that he would not pose a risk to the public if licensed by the Board.

**BOARD ACTION:** The Disciplinary Committee recommended:

That the application of Marcus Antonio Barnes for examination as a special restricted plumbing and heating classification of electrical contracting be accepted and that he be allowed to sit for examination.

There was no objection from Mr. Barnes and the Recommended Order was approved by the Board as a Final Decision March 12, 2015.

**EFFECTIVE DATE:** March 12, 2015

**CASE FILE NUMBER:** 2014-126

**LICENSEE:** Gabbidon Electrical Contractors LLC

**ADDRESS:** 2214 Devine Street  
Columbia, SC 29205

**LISTED QUALIFIED INDIVIDUAL:** Leonard Gabbidon

**LICENSE NUMBER:** 30100-U

**VIOLATION(S):** Violation of North Carolina General Statute 87-47 (a1) (1), (3),(6) and (7) and Title 21 NCAC18B .0909 that;

1. Leonard Gabbidon holds license #30100-U as the qualified individual for Gabbidon Electrical Contractors, LLC. Business is located at 2214 Devine Street, Columbia, SC 29205.

2. Respondent contracted and performed work on the Holiday Inn Express, 1003 Sunburst Drive, Goldsboro and Marriott, 2605 N. Park Dr., Goldsboro which demonstrated numerous violations of the North Carolina Electrical Code;

3. The poor quality of work is substantial evidence that Respondent failed to give adequate supervision to the project with Palmetto Design Associates at the Holiday Inn Express, 1003 Sunburst Drive, Goldsboro and Marriott, 2605 N. Park Dr., Goldsboro;

4. Respondent purported to subcontract the work to unlicensed persons, Bernardo Galvin, Jose M Flores Escalera and Randy Williams;

5. Respondent improperly classified workers as independent contractors when in fact the persons functioned as employees;

6. Respondent operated business in a name other than listed with the Board, Gabbidon Electrical Contracting, LLC by using names Gabbidon Engineering LLC, Gabbidon Engineering & Electrical Contractors, Gabbidon Engineering and Electrical and Leonard G. Gabbidon; and

7. Subsequent to the complaint and investigation, Respondent has undertaken to convert all personnel to W-2 employees, to improve the quality of supervision of

personnel and has completed and obtained Certificate of Occupancy on the Holiday Inn where the significant violations of the Electrical Code occurred.

**BOARD ACTION:** The Disciplinary Committee recommended:

1. That the Respondent be placed on probation for a period of two (2) years subject to the following conditions of probation:

a. Respondent pay a civil penalty of five hundred (\$500.00) within 30 days of the entry of the Order;

b. Enroll and complete Special Business Course as approved by the Board with an emphasis on W-2 employees and requirements for qualified oversight;

c. Use no personnel other than W-2 employees and non-supervising personnel employed and receiving a W-2 from personnel agencies or from Respondent; and

d. Commit no further violations of Article 4, Chapter 87 of the General Statutes or the Rules of this Board.

2. In the event of violation of the Probation Order, licensee and qualification will be suspended for one (1) year.

There was no objection from Mr. Gabbidon and the Recommended Order was approved by the Board as a Final Decision March 12, 2015.

**EFFECTIVE DATE:** March 12, 2015

**CASE FILE NUMBER:** 2014-216

**EXAM APPLICANT:** Michael David Whitehead

**ADDRESS:** 2096 West Pine St.  
Mount Airy, NC 27030

**VIOLATION(S):** 1. Applicant submitted an Application for Examination on February 10, 2014, which, inter alia, disclosed the existence of a felony conviction for incidents which occurred in July 1994. The Applicant was 23 years old. No force was involved in the incident.

2. The evidence established that the conviction occurred on April 20, 2000.

3. The Applicant is currently married and residing as the head of household.

4. Since the incident in question, Applicant has worked in the profession of electrical contracting. He has been gainfully employed with Salem Electric Company since 2007. The occurrences are known to key management for the firm and his employment has been without incident for 7 years.

5. The Applicant has demonstrated good character and that he would not pose a risk to the public if licensed by the Board.

**BOARD ACTION:** The Disciplinary Committee recommended:

That the application of Michael David Whitehead for examination as an electrical contractor be approved.

There was no objection from Mr. Whitehead and the Recommended Order was approved by the Board as a Final Decision March 12, 2015.

**EFFECTIVE DATE:** March 12, 2015

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

**CASE FILE NUMBER:** 2014-157 and 2014-159

**LICENSEE:** Providence Electric

**ADDRESS:** P.O. Box 33338  
Charlotte, NC 28233

**LISTED QUALIFIED INDIVIDUAL:** Thomas J. Harp

**LICENSE NUMBER:** 23213-L

**VIOLATION(S):** Thomas J. Harp and Providence Electric were issued a Notice of Violation on October 13, 2014 by the Board's Field Representative / Investigator and Thomas J. Harp signed and agreed to a Notice of Violation on October 21, 2014 for case files #2014-157 and 2014-179.

All the evidence available to Board's Staff was that Thomas J. Harp and Providence Electric did not pay restitution to the home owners and failed to pay civil penalty to the Board. Based on the requirements of the Notice of Violation and the foregoing facts, the Board's Staff concluded that license and qualifying status must be suspended. Staff forwarded a Notice of Suspension to Mr. Harp on December 11, 2014. This action was an agency decision which gave Mr. Harp a right to an administrative hearing before the Board. To exercise such right, you had to file a request or petition with the Board within 30 days, pursuant to Article 3A, Chapter 150B of the General Statutes. In the absence of request for hearing, license would be suspended for twelve (12) months. Suspension Notice noted, prior to reinstatement all conditions of the October 13, 2014 Notice of Violation must be completed.

Thomas J. Harp exercised the right for a hearing on January 2, 2015 by appeal. Staff confirmed January 27, 2015 that Civil Penalty of five hundred dollars (\$500.00) and restitution to home owners is paid in full.

**BOARD ACTION:** The Disciplinary Committee recommended a reprimand and probationary period of three (3) years subject to the 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.

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 suspended for twelve (12) months. The Board may impose such additional sanctions as indicated by any new violation of G.S. 87-47.4.

There was no objection from Mr. Harp and the Recommended Order was approved by the Board as a Final Decision June 18, 2015

**EFFECTIVE DATE:** June 18, 2015

**CASE FILE NUMBER:** 2014-164

**LICENSEE:** Waccamaw Electric Company Inc.

**ADDRESS:** 316 E. Lewis St.  
Whiteville, NC 28472

**LISTED QUALIFIED INDIVIDUAL:** David Leonard Heath

**LICENSE NUMBER:** 01788-U

**VIOLATION(S):** Violation of North Carolina General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that firm:

- (1) Failed to obtain required permits for electrical wiring at 309 Flemington Drive, Lake Waccamaw for the Boys and Girls Home of North Carolina; and
- (2) Failed to resolve matter with Field Staff.

**BOARD ACTION:** The Disciplinary Committee recommended a reprimand and probationary period of six (6) months subject to the conditions of probation:

- (1) Pay a civil penalty of two hundred fifty dollars (\$250.00);
- (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.

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 suspended for six (6) months. The Board may impose such additional sanctions as indicated by any new violation of G.S. 87-47.

There was no objection from Mr. Heath and the Recommended Order was approved by the Board as a Final Decision June 18, 2015

**EFFECTIVE DATE:** June 18, 2015

**CASE FILE NUMBER:** 2014-239

**EXAM APPLICANT:** Tony Gerard Huckleberry

**ADDRESS:** 6234 Round Hill Rd.  
Charlotte, NC 28211

**VIOLATION(S):** 1. Applicant submitted an Application for Examination on December 1, 2014, which, inter alia, disclosed the existence of a felony conviction for Second Degree Murder on December 31, 2001. The Board has undertaken to assess the character of the Applicant to take the examination.

2. The Conviction of Second Degree Murder arose from an incident on July 3, 2000 during which the Applicant was the driver of a vehicle used to locate an individual. During the altercation which followed, shots were fired and the victim died from the resulting wounds. The Applicant drove the

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

shooter away from the scene and failed to take any steps to alert law enforcement or emergency medical personnel. At the time of the shooting the Applicant was 18 and held a job as a certified nursing assistant.

3. The evidence established that the conviction resulted in a sentence of jail time and that the Applicant was incarcerated with the North Carolina Department of Public Safety with a release date of June 2, 2008.

4. Following release, the Applicant was placed on probation.

5. On February 27, 2009 the NC Department of Correction Post-Release Supervision and Parole Commission certified that the Applicant's supervised probation was terminated and that the Applicant's rights of citizenship were restored.

6. Evidence established that subsequent to release from prison in 2008, Applicant has had criminal charges brought against him including possession of stolen motor vehicle and drug paraphernalia and that the most recent charge was May 26, 2011- however no convictions resulted.

7. Since his release the Applicant has met the relevant experience requirements and has been employed without incident by various licensed electrical contractors for the time period of January 7, 2009 to present with the exception of approximately 18 months during which he was otherwise employed.

8. The Committee takes note of the letters of support the Applicant submitted.

9. The Committee has considered various factors including: the level and seriousness of the crime, the amount of time that has passed since the crime, the age of the Applicant at the time of the crime, the circumstances surrounding the crime, the absence of any connection between the crime and the Applicant's duties, the Applicant's efforts to rehabilitate himself and evidence of the Applicant's present character.

10. The Applicant provided credible testimony and other evidence as to his efforts to rehabilitate himself, his remorse for his actions which occurred at early age, his desire to continue his efforts towards remaining a contributing member of society and his successful track record as an employee of licensed electrical contractors.

11. Based upon the record before the Committee and the Applicant's answers to questions during the Hearing, the Applicant has sufficiently demonstrated that he would not pose a risk to the public if licensed by the Board.

**BOARD ACTION:** The Disciplinary Committee recommended:

The application of Tony Gerard Huckleberry for examination as an electrical contractor be accepted and that he be allowed to sit for examination.

There was no objection from Mr. Huckleberry and the Recommended Order was approved by the Board as a Final Decision March 12, 2015.

**EFFECTIVE DATE:** March 12, 2015

**CASE FILE NUMBER:** 2015-68

**LICENSEE:** Advanced Electrical Solutions

**ADDRESS:** Michael Russell Puckett

P. O. Box 561

Icard, NC 28666

**LISTED QUALIFIED INDIVIDUAL:** Michael Russell Puckett

**LICENSE NUMBER:** 19173-I

**VIOLATION(S):** Violation of North Carolina General Statute 87-47 (a1) (4) and (7) in that;

1. Respondent holds an intermediate license with license number 19173-I and is the listed qualified individual for Advanced Electrical Solutions.

2. Respondent previously entered into a Consent Agreement on November 8, 2010 which, inter alia, granted renewal of Respondent's license subject to certain probation terms arising from a failure to disclose a criminal conviction on November 4, 2009 for Misdemeanor Breaking and Entering and Larceny. In that November 8, 2010 Agreement, the Respondent was specifically cautioned as to the need for candor and truthfulness with both the Board and the public. The terms of that probation ended in 2012

3. Respondent's license history also shows a pattern of late renewals.

4. Respondent submitted an Application for Renewal on April 1, 2015, which, inter alia, disclosed the existence of a felony conviction for possession with intent to distribute a precursor of Methamphetamine. That felony had an offense date of December 8, 2012 and a conviction date of November 5, 2014. Respondent's 2015 renewal application indicated there were no other criminal convictions beyond the felony of possession with intent to distribute a precursor of Methamphetamine.

5. A subsequent criminal record check by staff revealed the existence of another criminal conviction not revealed by the Respondent- a misdemeanor conviction of assault on a female with an offense date of December 8, 2012 and a conviction date of January 9, 2013. The existence of that conviction was not disclosed on the renewal applications dated April 12, 2013, April 25, 2014 or April 1, 2015.

6. The misdemeanor charge of assault on a female arose from a domestic dispute during which Respondent threw a can of food at his wife. Thereafter, Respondent's wife called law enforcement and a search of their home revealed the existence of material related to the production of methamphetamine. Respondent maintains the product was for personal consumption.

7. The evidence established that the conviction resulted in a sentence of jail time and that the Applicant was sentence to be incarcerated with the North Carolina Department of Public Safety for a period of 19-32 months with credit given for 22 days spent in pre-trial confinement. The remaining jail time was suspended upon the successful completion of

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

supervised probation for a period of 30 months beginning on November 5, 2014 and ending on May 5, 2017.

8. Respondent submits that he completed 20 hours of court-ordered domestic violence therapy and random toxicology screens as part of his probation. Respondent submits that he is currently in compliance with the terms of his supervised probation and that he is the sole provider for his family.

9. Respondent maintains that he has been sober and under the influence of no illicit substances or alcohol since his arrest on December 8, 2012. Respondent has offered to undergo random toxicology screens at his expense to demonstrate his sobriety.

10. Since his release the Respondent has been self-employed without incident and remains married to the victim of the assault on a female charge.

11. Respondent offers as an explanation for his failure to disclose the conviction for assault on a female that he was embarrassed by his actions.

12. The Committee has considered various factors including: the level and seriousness of the crimes, the amount of time that has passed since the crimes, the age of the Respondent at the time of the crimes, the circumstances surrounding the crimes, the absence of any connection between the crime and the Respondent's duties, the Respondent's efforts to rehabilitate himself, the evidence of the Respondent's present character, Respondent's explanation for his action and Respondent's assurances that there will be no future failures to be fully candid with the Board or the public.

13. The Respondent has provided credible testimony and other evidence as to his efforts to rehabilitate himself, his remorse for his actions, his desire to continue his efforts towards remaining a contributing member of society and his successful track record as a self-employed licensed electrical contractor.

14. Based upon the record before the Committee and the Respondent's answers to questions during the Hearing, the Respondent has sufficiently demonstrated that he would not pose a risk to the public if licensed by the Board.

15. The Committee is concerned that the Respondent did not display the necessary candor in dealing with the Board as part of the license renewal process despite prior written warnings.

16. The Respondent's actions constitute fraud or misrepresentation in the effort to renew a license in violation of N.C.G.S. 87-47(5).

**BOARD ACTION:** The Disciplinary Committee recommended:

1. That the renewal application of Michael Puckett as an electrical contractor be accepted subject to the terms of the suspension and probation outlined below.

2. That the license of the Respondent be suspended for a period of 1 year but that said suspension is stayed with the

consent of the Respondent subject to the successful completion of the terms set forth in the paragraph below.

3. The one year period of suspension is stayed and Respondent's license to engage in business as an electrical contractor shall be placed on probation for a period of 24 months and during the period of probation the Respondent shall:

(a) commit no violations of Article 4, Chapter 87 of the North Carolina General Statutes or the Rules of the Board with regard to any qualification administered by the Board; and

(b) enter into and implement an agreement with an independent toxicology screening lab (such as First Lab) which agreement and lab shall be pre-approved by the Board's staff and which testing protocol shall require an observed urine screen to be undergone once every 6 months of the probation. The results of each of those 4 toxicology screens shall be sent directly to the staff of the Board with an explanation of the results by the testing lab. It is agreed by the Respondent that the results of those toxicology screens is deemed conclusive as to the question of what substances are present in the Respondent's system without need for further proof or hearing. The results of Respondent's urine screens shall be negative for impairing substances, absent the provision to both the testing lab and the Board's staff of a valid prescription for the substance in question by a licensed physician or physician assistant. Any urine screen that has positive results for any impairing substance (including illicit drugs or alcohol) and for which no valid prescription exists shall be deemed to be a violation of the terms of this probation and the stayed suspension and the suspension of the license of the Respondent will immediately be activated without the need for further hearing. All costs of testing and reporting shall be borne by the Respondent and shall be invoiced and paid directly as between the testing company and the Respondent.

There was no objection from Mr. Puckett and the Recommended Order was approved by the Board as a Final Decision June 18, 2015

**EFFECTIVE DATE:** June 18, 2015

## 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.

<b>Name</b>	<b>City</b>	<b>County</b>	<b>License</b>	<b>File Number</b>
William David Layfield	Charlotte	Mecklenburg	14668-L	2015-37
Dustin John Costello	Willow Spring	Wake	25930-L	2015-72

## 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.

<b>Name</b>	<b>City</b>	<b>County</b>	<b>File Number</b>
Stephen Willie Harris	Lexington	Davidson	2014-197
Lars Rousseau	Bakersville	Mitchell	2014-208
Weldon Eugene Hawks	Ararat, VA	Out of State	2014-213
Bernard Melton	Charlotte	Mecklenburg	2014-206
Wilson Lipscomb	Charlotte	Mecklenburg	2014-207
Melvin Wayne Sours Jr.	Arden	Buncombe	2014-199
Robert Kevin Mabe	Liberty	Alamance	2014-201
Barry Lowe	Burlington	Alamance	2014-193
William S. Bellamy	Lumberton	Robeson	2013-233
Jesus M. Inzunza Lopez	Asheboro	Randolph	2014-238
Jose Alberto Velazquez Trejo	Charlotte	Union	2014-241
Neil Clark	Zebulon	Wake	2014-220
Abbe Granelle	Mooresville	Iredell	2014-222
Neel Lee Hudson	Hickory	Catawba	2014-181
Bryan Keith Barker	Danville, VA	Out of State	2014-155
Eddie Joseph Erwin	Jonas Ridge	Burke	2014-248
David Augustus Goodson	Kannapolis	Cabarrus	2014-215
Lenoid L. Moore	Hendersonville	Henderson	2014-221
John R. Jones	Charlotte	Mecklenburg	2015-64
Sam Burgard	Mooresville	Mecklenburg	2015-59
Efrain Aguirre	Stanfield	Stanly	2015-6
Mark L. Scarnecchia	Durham	Durham	2014-176
Benji Johnson	Whitakers	Nash	2014-156
Rodney Duke	Decatur, AL	Out of State	2014-154
Robert Casey Matthews, Jr.	Garner	Wake	2014-195
Kenny Pearce	Raleigh	Wake	2013-219

**NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS**

Robert Anderson	Fayetteville	Cumberland	2014-20
Cary S. Rizzieri	Cary	Wake	2014-114
Kenneth L. Waggoner	Jacksonville	Onslow	2015-19
Donald Pearce	Henderson	Vance	2015-33
Roberto Escobar	Durham	Durham	2015-56
Bob Powell	Chapel Hill	Orange	2015-47
James Andrew Shanklin	Graham	Guilford	2015-55

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**DATES AHEAD**

**2015 NCAEC ELECTRICAL APPRENTICE CONTEST**

The 8th Annual NCAEC Electrical Apprentice Contest will be held October 2, 2015 at the Greensboro Coliseum, Greensboro, NC. For detailed information, contact the NCAEC Office, Telephone 336-854-8354.

**2015 IAEI SOUTHERN SECTION MEETING**

The International Association of Electrical Inspectors (IAEI) will hold its Annual Southern Section Meeting at the Embassy Suites North Charleston - Airport/Hotel & Convention, North Charleston, SC, October 11-14, 2015. For detailed information, please visit [www.iaei.org/web/southern](http://www.iaei.org/web/southern)

**2015 ELECTRICAL APPRENTICE CONTEST**

The 31st Annual Electrical Apprentice Contest will be held October 21, 2015 at the NC State Fairgrounds. For detailed information, contact the NCDOL Apprenticeship and Training Bureau, Telephone 919-814-0303.

**2015 NC ELLIS CANNADY CHAPTER, IAEI  
FALL MEETING AND CODE WORKSHOP**

The NC Ellis Cannady Chapter, IAEI will hold its Annual Fall Meeting and Code Workshop at the Doubletree by Hilton Asheville-Biltmore, Asheville, NC, November 8-10, 2015. For complete details about all planned activities, programs, registration applications and other information, please visit us at: [www.nciaei.org](http://www.nciaei.org) or contact Mary Higgins (919)733-9042 ext. 205.

**North Carolina State Board of Examiners of Electrical Contractors**  
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