



NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

NEWSLETTER

FEBRUARY 2016, EDITION #69

MESSAGE FROM THE CHAIRMAN

2016 is just beginning and the North Carolina State Board of Examiners of Electrical Contractors is just in its third quarter of the fiscal year. Looking back over the past year, your Board and Board's staff have been busy with not only the day-to-day business" to protect the life, health and property of the public..." but trying, also, to keep abreast of things that may affect the Board's Mission.

The staff has been paying attention to what was going on at the State Legislature that would affect you as an Electrical Contractor and also the operation of your Board. The Board will continue keeping up with the Senate and House in the coming session in 2016.

Tim Norman, our Executive Director, made us all aware of an alarming problem. The realization that our electrical contractor license holders are aging faster than new younger people coming into the industry should not be a surprise. This problem is not unique just to the electrical industry but is a trend for every industry and group. What to do?

The Board invited representatives from CECA, NCAEC, other independent electrical contractors, the Community Colleges, and the public schools to come together to discuss and examine ways to attract new young people to the trade. This group formed three sub-groups: Marketing, Education and Training, and Resources. These sub-groups are now meeting to examine and develop strategies. Can you help?

2016 brings new opportunities for the Board. We are planning for the Board's annual retreat and workshop in March that will take place prior to the third quarter Board meeting.

Of course, the annual North Carolina Electrical Institute is scheduled for April at the North Raleigh Hilton, Raleigh, NC. This annual meeting is an all industry meeting that has been held for nearly 90 years. Make plans to join us and network with your fellow industry members at this two-day educational Code experience.

See you there!

James Carpenter, Chairperson

2015 APPRENTICE CONTEST WINNERS



Gavin Dorun of M.B. Haynes Electric, 1ST place winner of the NCAEC Apprentice Contest held October 2, 2015.

William Aaron Tripp of Starr Electric Company Inc., 1st place winner of the North Carolina Electrical Apprentice Contest held October 21, 2015, at the NC State Fair, Raleigh, NC.



Big congratulations Gavin & William!

Electrical Contractors Newsletter

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

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Pat McCrory, Governor

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13TH ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

Last year the Board presented Mr. Jeffrey Ryan Simpson with the 12th Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2015 recipient of the "Instructor of the Year" Award. With your votes we will select an instructor who is dedicated and highly skilled and inspires others to learn.

The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education please submit the instructor's name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. An instructor will be recognized at the North Carolina Electrical Institute meeting being held April 5th and 6th, 2016 in Raleigh, NC.

If you would like to participate, please detach and complete the nomination form below, notify us by email: aparris@ncbeec.org or vote on the Boards website at www.ncbeec.org under "Continuing Education" and "Instructor of the Year Award". If you use this form please cut on the dotted line and return it to the Board's office. The address is:

N. C. State Board of Examiners of Electrical Contractors
3101 Industrial Drive, Suite 206
Raleigh, NC 27609

You must submit your vote to the Board's office by February 12, 2016.

Thank you for your participation.

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CONTINUING EDUCATION INSTRUCTOR OF THE YEAR

I would like to make the following nomination for the 2015 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: _____

SPONSOR NAME: _____

NOMINATED BY: _____

NEW STATE ELECTRICAL CODE IN EFFECT

The 2014 National Electrical Code (NEC), with amendments, is in effect as of April 1, 2016. Code amendments are published by the NC Department of Insurance, Office of State Fire Marshall on their website at <http://www.ncdoi.com/OSFM/>. Find under tab OSFM Divisions / State Building Codes / Code (Current and Past) / North Carolina Electrical Code - 2014 Edition. It is suggested that you carefully study this material and update your 2014 NEC book.

BOARD'S EXAMINATION PROGRAM

The Board's qualifying examinations will continue to be based on the 2011 National Electrical Code until June 30, 2016. **Effective July 1, 2016, the Board's qualifying examinations will be based on the following publications:**

- **2014 National Electrical Code**
- **2013 NFPA 72**
- **NASCLA Contractors Guide to Business, Law and Management - NC Electrical Edition**

The Board has in stock inventory of the 2014 National Electrical Code book (soft-bound cover).

To place your order online, please visit our website link at: <http://www.ncbeec.org/product/2014-national-electric-code-book/>

To mail in your order, please use the Order Form included in this Newsletter.

To order your 2007 National Fire Alarm Code, please contact NFPA at www.nfpa.org or 1-800-344-3555.

Anyone wishing to apply for the qualifying examination should contact the Board's office for the Examination Candidate Information Bulletin. Telephone/Voice Mail 1-800-392-6102.

2016 NC ELECTRICAL INSTITUTE

It's time to start registration for the 2016 NC Electrical Institute. This year we'll be sending you a postcard (Hot Pink!) with instructions for registering online and where to go to print registration forms and programs. Be on the lookout for this important notice in your mailbox soon!

ONLINE RENEWAL CHANGES

You may have noticed some changes to our Online Renewal System. We appreciate your patience while the system was overhauled.

Under the My Account menu, you will be able to change your User ID, update your email address, change your password, or change your security questions. The first time you login, you will be required to select/answer three security questions. Once you have answered and saved these security questions, you can see your available options under the online services menu in the top right corner of your screen or at the bottom of your screen under Other Online Services.

We hope you will like the changes.

UPDATE YOUR LICENSE ONLINE

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

You may now update the contact information for your license online. Select "**Renew/Update License**" under the **Online Services** menu on the Board's website. You will need your user ID and password to access your license information. The first time you login, you will be required to select/answer three security questions. Once you have answered these security questions, you will be able to update your mailing address, telephone number(s), and/or email address. Please keep this information up to date.

FUTURE NEWSLETTERS

All newsletters are posted on the Board's website. In the future, you will receive them electronically. If you needed a printed copy, please contact the Board's office.

ANNUAL REPORT OF STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

FISCAL YEAR JULY 1, 2014 – JUNE 30, 2015

Number of persons who applied to Board for examination	1057
Number of applications returned to sender because they were not duly filed	106
Number who were refused examination	0
Number who cancelled or withdrew application	195
Number who took examination	862
Number who failed examination	522
Number to whom initial licenses were issued (including reciprocity)	428
Number who applied for licenses by reciprocity or comity	163
Number who were granted licenses by reciprocity or comity	163
Number of licenses terminated for any reason other than failure to pay the required renewal fee (Deceased during 2013-2014 fiscal year)	29
TOTAL number of active licenses as of 6/30/2015	12,858
COMPLAINT REPORT RECEIVED DURING JULY 1, 2014 – JUNE 30, 2015	
Complaints Received:	
Board Staff	29
Case Reopened	0
Verbal/In Person	2
Written/Complaint Form	213
TOTAL	244
Complainant:	
Boards Staff	60
Concerned Citizen	27
Inspector	49
Licensee	30
Owner	66
State Agency	12
TOTAL	244
Complaints Registered Against:	
Licensee	117
Non-licensee	127
TOTAL	244
Alleged Issues: (One complaint may be listed in more than one category)	
Contractual / Financial Dispute	14
Criminal Convictions	7
Electrical Code Violations	20
Other	4
Permit - Inspections	22
Violation of Laws and Rules	177
Resolutions: (One complaint may be listed in more than one category)	
Unknown (Open Cases)	111
Informal Inquiry – Satisfactorily Resolved	2
Licensee - Dismissed	30
Licensee – Reprimand, Probation, Civil Penalty	27
Licensee – Suspension or Revocation	5
Non – Licensee Warning	51
Non – Licensee Court Action	16
Non – Licensee Dismissed	9
TOTAL RESOLVED	133
TOTAL PENDING	111
TOTAL COMPLAINTS	244

LICENSEE DECREASE

Below is a graph that shows the decline of licensees since the 2006-2007 fiscal year. At the end of the calendar year for 2015 the total number was 12,796. In 2003 there were 541 licensees between the ages of 18 and 30 years old. At present we only have 120 licensees between those ages. The average age of a licensee in North Carolina is 55 years old.

YEAR	LICENSEE'S NUMBER
2004-2005	14,147
2005-2006	14,312
2006-2007	14,729
2007-2008	14,384
2008-2009	14,189
2009-2010	13,807
2010-2011	13,521
2011-2012	13,277
2012-2013	13,092
2013-2014	12,835
2014-2015	12,858



RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

COURT CASES

CASE FILE NUMBER: 2014-52

NON-LICENSEE: Billy Porter

ADDRESS: 5630 Grimes Rd.
Fayetteville, NC 28376

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 24, 2015 whereby Billy Porter individually and d/b/a Sunrise Remodeling 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 24, 2015

CASE FILE NUMBER: 2014-166

NON-LICENSEE: James Montague d/b/a F7 Development Inc.

ADDRESS: 918 Rock Quarry Rd.
Raleigh, NC 27610

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 June 18, 2015 whereby James Montague individually and d/b/a F7 Development is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: June 18, 2015

CASE FILE NUMBER: 2014-171

NON-LICENSEE: Marvin Rountree, Jr. d/b/a Marvin's Maintenance

ADDRESS: 919 Raleigh Road
Rocky Mount, NC 27803

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 August 17, 2015 whereby Marvin Rountree Jr. individually and d/b/a Marvin's Maintenance is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: August 17, 2015

CASE FILE NUMBER: 2014-186

NON-LICENSEE: Lenner Garner

ADDRESS: 411 Monroe Street
Roanoke Rapids, NC 27870

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 June 8, 2015 whereby Lenner Garner 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: June 8, 2015

CASE FILE NUMBER: 2014-194

NON-LICENSEE: Kenny Long d/b/a Longs Service All

ADDRESS: 4100 US 29 N, Lot 232
Greensboro, NC 27405

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 24, 2015 whereby Kenny Long individually and d/b/a Long's Service All 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 24, 2015

CASE FILE NUMBER: 2014-224

NON-LICENSEE: Charlie James Dixon

ADDRESS: 1013 Horton Rd.
Durham, NC 27704

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on September 17, 2015 whereby Charlie James Dixon individually and d/b/a Dixon Electric is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: September 17, 2015

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2015-9

NON-LICENSEE: Michael Dobogia d/b/a Critical Systems Unlimited

ADDRESS: 2125 Burgess Rd.
Chester, VA 23836

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 June 3, 2015 whereby Michael Dobogia individually and d/b/a Critical Systems Unlimited is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: June 3, 2015

CASE FILE NUMBER: 2015-14

NON-LICENSEE: Jeremy Ritchie

ADDRESS: 1042 E. 22nd St.
Kannapolis, NC 28083

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on September 30, 2015 whereby Jeremy Ritchie individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: September 30, 2015

CASE FILE NUMBER: 2015-86

NON-LICENSEE: Leon Russell Pegram d/b/a Pegram Electric

ADDRESS: 5313 Audrey Road
Greensboro, NC 27407

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 August 26, 2015 whereby Leon Russell Pegram individually and d/b/a Pegram Electric is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: August 26, 2015

CASE FILE NUMBER: 2015-92

NON-LICENSEE: Edward Pegram d/b/a Pegram Electric

ADDRESS: 422 Archergate Rd.
Brown Summit, NC 27214

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 July 13, 2015 whereby Edward Pegram individually and d/b/a Pegram Electric is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: July 13, 2015

CASE FILE NUMBER: 2015-136

NON-LICENSEE: Whit S. Williams

ADDRESS: 1600 Quarter Rd.
Swan Quarter, NC 27885

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on September 30, 2015 whereby Whit Williams individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: September 30, 2015

NOTICE OF VIOLATIONS

CASE FILE NUMBER: 2014-183

LICENSEE: Interconnect Products and Services Inc.

ADDRESS: P. O. Box 55
Wilkesboro, NC 28697

LISTED QUALIFIED INDIVIDUAL: James Steven Snider

LICENSE NUMBER: 25066-SP-FA/LV

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

(1) Exceeded the scope of firms SP-FA/LV license by including in the electrical contract minor line voltage wiring at Roland Grise School, Wilmington, NC; and
(2) Engage in malpractice, unethical conduct in the practice of electrical contracting.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2014-192

LICENSEE: MTS Services Inc

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

ADDRESS: 501 Covil Avenue
Suite 200
Wilmington, NC 28403

LISTED QUALIFIED INDIVIDUAL: Chris Lee Jordan

LICENSE NUMBER: 25993-SP-FA/LV

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (1), (7) and Title 21 NCAC 18B .0804 .0902 in that the firm:

(1) Exceeded the scope of SP-FA/LV license by including in electrical contract minor line voltage at several New Hanover County Schools; and

(2) Engaged in malpractice, unethical conduct in the practice of electrical contracting.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2014-229

LICENSEE: Willie M. Whitfield Electric

ADDRESS: P. O. Box 36
Everetts, NC 27825

LISTED QUALIFIED INDIVIDUAL: Willie Mack Whitfield

LICENSE NUMBER: 11512-SP-SFD

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

(1) Exceeded the scope of firms Special Single Family Dwelling (SP-SFD) license by installing electrical wiring at 3643 Governors Rod, Kelford NC on a commercial building to be used as a nightclub; and

(2) Engaged in malpractice, unethical conduct in the practice of electrical contracting.

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 subject to the following conditions:

(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 over \$100.00.

(3) Obtain permits prior to commencement of work and obtain inspections within ten days of substantial completion for all work for which a license is required.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2014-251 and 2015-30

LICENSEE: Starr Service Company

ADDRESS: P. O. Box 9298
Greensboro, NC 27429

LISTED QUALIFIED INDIVIDUAL: Steven Lewis Shuskey

LICENSE NUMBER: 22593-L

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

Failed to obtain required electrical permit before commencement of electrical work for electrical wiring installed at 701 Green Valley Rd. Greensboro, NC & 3604 Kirby Dr. Greensboro, NC.

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

(1) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required;

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

(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; and

(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: September 24, 2015

CASE FILE NUMBER: 2015-2

LICENSEE: L.E.D. Electric Inc.

ADDRESS: 2526 Carl Durham Rd.
Chapel Hill, NC 27516

LISTED QUALIFIED INDIVIDUAL: Hoyt Alton Durham Jr.

LICENSE NUMBER: 15268-L

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 paid a non-licensee (Jeremy Swaim) to install electrical wiring for a project located 207 High Ridge Ln. Pittsboro, NC. Jeremy Swain is not a bona fide employee of L.E.D Electric Inc.

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 (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) 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;

RECENT DISCIPLINARY ACTION TAKEN BY 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;

(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; and

(5) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-50

LICENSEE: Ashley Mobile Electric

ADDRESS: 512 Kanuga Street
Hendersonville, NC 28792

LISTED QUALIFIED INDIVIDUAL: Ashley H. Talsky

LICENSE NUMBER: 22856-L

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

Exceeded the scope of firm's electrical contracting Limited license in that firm offered to engage and did engage in the electrical project located at 496 Kelly Road, Brevard NC in an amount over \$40,000.00 prior to September 1, 2015.

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. Maintain records detailing and documenting compliance with the provisions of the probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board.

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

EFFECTIVE DATE: September 24, 2015

CASE FILE NUMBER: 2015-67

LICENSEE: Steve's Electrical Installation and Maintenance

ADDRESS: 727 Vernon Drive
Jacksonville, NC 28540

LISTED QUALIFIED INDIVIDUAL: Steven Feranado
Thompson

LICENSE NUMBER: 22582-L

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 permits on projects prior to commencing work at 1121 Hendricks Ave., Jacksonville, 2543 Onslow Dr., Jacksonville and 200 E Doctors Dr.,

Jacksonville, 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: December 3, 2015

CASE FILE NUMBER: 2015-74

LICENSEE: Canter Power Systems LLC

ADDRESS: 2100 Fairfax Road
Greensboro, NC 27407

LISTED QUALIFIED INDIVIDUAL: Kenneth Lee Canter

LICENSE NUMBER: 13215-U

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

Failed to obtain required electrical permit before commencement of electrical work for installing electrical wiring located 3804 Brandt Lake Ct. Greensboro, NC.

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

- (1) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required;

- (2) Firm complete the work, correct all code violations and request final inspection approval within (10) days of this notice;

- (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; and

- (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: September 24, 2015

CASE FILE NUMBER: 2015-80

LICENSEE: Glen`s Electric & Repair Service

ADDRESS: 118 Gus Smith Road
Gaston, NC 27832

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

LISTED QUALIFIED INDIVIDUAL: Glenford Ray King

LICENSE NUMBER: 19352-L

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

(1) Aided or abetted unlicensed activity in that you contracted with a non-licensee, Lenner Garner, to supervise electrical wiring installation performed by Lenner Garner and obtain an electrical permit for a project located 250 Webb Hill Rd. Roanoke Rapids, NC. Wiring was not performed by a bona fide employee of Glen's Electric & Repair Service; and
(2) Engaged in deceit or unethical conduct in the use of your license.

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) 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) Maintain job files or other written records of contracts made and installations performed;
- (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;
- (5) 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; 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: September 24, 2015

CASE FILE NUMBER: 2015-82

LICENSEE: MCS Electric

ADDRESS: 1057 Gunnell Road
Rural Hall, NC 27045

LISTED QUALIFIED INDIVIDUAL: Christopher A. Vaughan

LICENSE NUMBER: 28574-L

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

Failed to supervise a project located 429 Shady Lane,

Winston Salem, NC. Firm failed to obtain final inspection and to ensure that a request for final inspection is made by MCS Electric, the general contractor or the owner within 10 days of completion of the work for which a license is required.

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

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

EFFECTIVE DATE: September 24, 2015

CASE FILE NUMBER: 2015-84

LICENSEE: WW Electric LLC

ADDRESS: P.O. Box 267
Sims, NC 27880

LISTED QUALIFIED INDIVIDUAL: Jason Edwin Whitehead

LICENSE NUMBER: 26197-I

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

- (1) Exceeded the scope of firm's Intermediate electrical contracting license in that firm bid, contracted and installed electrical wiring for a project with a value of \$139,432.26 located 11124 Christian Rd. Wilson, NC 27896. The project value limitation for an Intermediate license is \$130,000.00;
- (2) Failed to attempt to obtain required electrical permit before commencement of work at electrical project listed above; 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 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) Jason Edwyn Whitehead and WW Electric LLC must void any commitment to the electrical project located at 11124 Christian Rd. Wilson, NC 27896. The project, if continued, must be awarded to a person, partnership, firm or corporation holding a valid Unlimited license issued by the Board;
- (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; and
- (5) Maintain records detailing and documenting compliance with the provisions of the probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board.

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

EFFECTIVE DATE: June 18, 2015

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2015-85

LICENSEE: Rene T. Guyader, Jr.

ADDRESS: 624 Champion Street
Clayton, NC 28302

LISTED QUALIFIED INDIVIDUAL: Rene Thomas Guyader Jr.

LICENSE NUMBER: 26891-L

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (1), (7) and Title 21 NCAC 18B .0402 (b) in that the firm: Operated business in a name other than that in which your license is issued by operating in the name Tom Guyader.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-93

LICENSEE: Jack Monell

ADDRESS: 115 Pinetree Drive
McLeansville, NC 27301

LISTED QUALIFIED INDIVIDUAL: Jack Harold Monell

LICENSE NUMBER: 21726-L

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

(1) Aided and abetted unlicensed activity in that firm contracted with a non-licensee, Leon Pegram and Edward Pegram, to supervise electrical wiring installation performed by Leon Pegram and Edward Pegram and obtain electrical permits for a projects located Drake Rd., Old Randleman Rd. and Sheraton Park Rd. Greensboro, NC. Wiring was not performed by a bona fide employees of Jack Monell; and
(2) Engaged in deceit or unethical conduct in the use of your license.

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) 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) Maintain job files or other written records of contracts made and installations performed;
- (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;
- (5) 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; 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: September 24, 2015

CASE FILE NUMBER: 2015-94

LICENSEE: Mitec Charlotte LLC

ADDRESS: 2445 Meadowbrook Parkway
Duluth, GA 30096

LISTED QUALIFIED INDIVIDUAL: Bryan Anthony Shaver

LICENSE NUMBER: 25872-SP-FA/LV

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

Operated a branch office at 15720 Brixham Hill Avenue, Charlotte, NC without holding a valid electrical contracting license.

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:

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: September 24, 2015

CASE FILE NUMBER: 2015-98

LICENSEE: Trinity E & C Inc

ADDRESS: 3092 Willow Road
Hendersonville, NC 28739

LISTED QUALIFIED INDIVIDUAL: John M. Kennedy

LICENSE NUMBER: 26665-U

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (1), (7) and Rule .0402 (b) in that the firm:

Have been operating in a name other than that in which license is issued by operating in the name Trinity Electric and Controls.

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

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

EFFECTIVE DATE: December 3, 2015

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2015-103

LICENSEE: 1st Call Electric LLC

ADDRESS: 106 Managers Place
Syracuse, NY 13209

LISTED QUALIFIED INDIVIDUAL: Angelo A. Vecchio

LICENSE NUMBER: 26579-L

VIOLATION(S): Violated General Statute 87-43 and 87-47

(a1) (7) in that the firm:

Failed to have a full time qualified individual for full time branch office located at 405 Northclift Drive, Raleigh, NC 27609 between February 2, 2015 and June 4, 2015.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-125

LICENSEE: Michaels Electrical Company

ADDRESS: 9 Connor Court
Thomasville, NC 27360

LISTED QUALIFIED INDIVIDUAL: Michael Brian Embry

LICENSE NUMBER: 30867-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) Failed to obtain required electrical permit before commencement of work at a project located 1005 Ebenezer Rd. Kannapolis, NC;

(2) Engaged in gross negligence within the meaning of G.S. 87-47 in that you installed electrical wiring creating a clear and present danger of personal injury, by installing circuit conductors for smoke detectors and outside luminaire and leaving the conductors energized without proper protection; and

(3) Engaged in malpractice and unethical conduct in the use of your license.

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

Prior to reinstatement, Michael Brian Embry must attend and pass Standard Level I Electrical Inspector Course approved by the NC Code Officials Qualifications Board.

Upon reinstatement, probationary period of twelve (12) months with the following conditions:

(1) 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;

(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) Maintain job files or other written records of contracts

made and installations performed;

(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;

(5) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

Michael Brian Embry requested suspension start September 2, 2015. Request was granted.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-126

LICENSEE: Brack Electric Inc.

ADDRESS: 6430 Oak Hill Road
Charlotte, NC 28227

LISTED QUALIFIED INDIVIDUAL: Keith Douglas Brack

LICENSE NUMBER: 18699-L

VIOLATION(S): Violated General Statute 87-43 and 87-47

(a1) (1), (7) and Title 21 NCAC 18B .0303 in that the firm:

Exceeded the scope of your electrical contracting license by bidding an electrical fire alarm project with the Union County Public Schools outside the scope of your Limited electrical contracting license in the amount of \$489,520.00.

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 twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;

(2) Keith Douglas Brack and firm must void any commitment to the electrical project known as Union County Board of Education Fire Alarm Systems Upgrades at Multiple Locations. The project, if continued, must be awarded to a person, partnership, firm or corporation duly licensed by the Board to engage or offer to engage in the project;

(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;

(6) Maintain records detailing and documenting compliance with the provisions of the probation order which records shall

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

be available for inspection at any time during normal business hours upon request of the staff of the Board.

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-165

LICENSEE: Absolute Power Company Inc.

ADDRESS: 56 Hunter Street
Apex, NC 27502

LISTED QUALIFIED INDIVIDUAL: Michael John Howington

LICENSE NUMBER: 10980-U

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (7) and Title 21 NCAC 18B .0302 (3) in that:

Michael J. Howington practiced engineering on a project for the Halle Building Group Office Upfit plan titled "Electrical Plan", dated September 12, 2012, for the Halle Office Expansion in Apex NC by furnishing plans, electrical designs, for the project. Design drawing were required by statute. The NC Board of Examiners for Engineers and Surveyors issued a cease and desist letter to Michael J. Howington for violation of G.S. 89C-23 by practicing or offering to practice engineering in North Carolina without being licensed by the NC Board of Examiners for Engineers and Surveyors.

Drawings by Electrical Contractor. If design drawings are not required by any statute, the installing contractor may prepare preliminary drawings to illustrate his proposed installation. If design drawings are required by a statute for an installation, the contractor may prepare preliminary drawings to illustrate his proposed installation; provided his proposal contains specific provisions to assure the awarding authority that, if awarded the project, the services of a duly registered professional will be employed to prepare the required final design drawings for the installation proposed and that the installation will be constructed in accordance with such design drawings.

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

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-166

LICENSEE: Schindler Elevator Corp.

ADDRESS: 900 Center Park Dr
Suite D
Charlotte, NC 28217

LISTED QUALIFIED INDIVIDUAL: Johnny W. Beaver

LICENSE NUMBER: 457/00 SP-EL

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

Operated a branch office at 495 Arbor Hill Drive, Suite A, Kernersville, NC without holding a valid electrical contracting license.

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

Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

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

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-169

LICENSEE: S.B. Davis Electric

ADDRESS: 6306 Greyfield Road
Fayetteville, NC 28303

LISTED QUALIFIED INDIVIDUAL: Steven Boyd Davis

LICENSE NUMBER: 20548-L

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

Failed to obtain required electrical permit before commencement of electrical work and inspection for a project located 3771 Glenn Rd. Parkton, NC on or about July 30, 2015.

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: December 3, 2015

ORDERS

CASE FILE NUMBER: 2014-169

LICENSEE: Makson Inc.

ADDRESS: P. O. Box 4197
Salisbury, NC 28145

LISTED QUALIFIED INDIVIDUAL: Richard Allen Miller

LICENSE NUMBER: 30404-U

VIOLATION(S): 1. Richard Miller holds an unlimited license from the Board with license number 30404-U and is the listed qualified individual for Makson, Inc.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

2. The staff of the Board alleged that Respondent violated N.C.G.S. 87-47(a) (3) and Board Rule 21 NCAC 18B.0306.

3. The Respondent submits that the violation of N.C.G.S. 87-47(a) (3) was unintentional.

4. N.C.G.S. 87-47(a) (3) prohibits the aiding or abetting of an unlicensed person, partnership, firm, or corporation that is offering to engage or to engaging in electrical contracting.

5. The Committee notes and has factored into its decision that Respondent has demonstrated that appropriate supervision by a listed qualified individual was present and that there were no code problems or safety concerns.

6. The Committee further notes and has factored into its decision that Respondent has accepted responsibility for the violation of N.C.G.S. 87-47(a)(3) and has demonstrated a desire to comply with the laws and rules of the Board moving forward and has taken appropriate remedial steps in an effort to insure future compliance.

7. This is sufficient evidence to establish that Respondent violated N.C.G.S. 87-47(a)(3).

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, it is the recommendation of the Committee that the Board enter the following order:

1. That Respondent is reprimanded, fined a civil penalty in the amount of \$500.00 payable within 30 days of the effective date of this Order and that the license of the Respondent is placed on probation for a period of 9 months. 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) utilize only employees receiving a W-2 from the Respondent firm with the option of also utilizing non-supervisory temporary labor from a qualified personnel agency which company is contractually obligated to pay its employees with a W-2 and given the arrangement otherwise complies with the Board's laws and rules.

There was no objection from Mr. Miller and the Recommended Order was approved by the Board as a Final Decision December 3, 2015.

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-20

LICENSEE: L.E.X.! Electric LLC

ADDRESS: 3337 Friar Tuck Road
Raleigh, NC 27610

LISTED QUALIFIED INDIVIDUAL: Marc Allen Kelly

LICENSE NUMBER: 29609-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) in that firm:

Failed to complete or abandoned a project after signing a contract on or about August, 2013 for wiring at a new single family home at 144 Vireo Ln. Hillsborough, NC.

BOARD ACTION: The Disciplinary Committee recommended a reprimand and probationary period of one (1) year subject to the following conditions:

(1) Marc Allen Kelly, L.E.X.! LLC, must pay restitution in the amount of two hundred fifty dollars (\$250.00) to complainant Ms. Shahnaz Rashdi within 30 days of the date of Order;

(2) Marc Allen Kelly must attend and pass Contractor Disciplinary Business Course offered by Contractor Education Services LLC / Umpire Technology;

(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) 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.

In the event of failure to comply with the terms of probation, 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. Kelly and the Recommended Order was approved by the Board as a Final Decision September 24, 2015.

EFFECTIVE DATE: September 24, 2015

CASE FILE NUMBER: 2015-21

LICENSEE: Triple "A" Electric

ADDRESS: 654 Sellars Road
Cameron, NC 28326

LISTED QUALIFIED INDIVIDUAL: Ronnie Junior Johnson

LICENSE NUMBER: 2015-21

VIOLATION(S): 1. Respondent holds license number 25128-SP-SFD and is the listed qualified individual for Triple "A" Electric. Respondent was issued a license on March 6, 2003.

2. During 2015 Respondent aided and abetted Tracy McKay and Old School Handyman Service, an unlicensed individual and entity engaged in the business of electrical contracting including the installation of electrical wiring for projects at 1889 Wilmington Highway, Fayetteville, NC and 3745 Myron Road, Fayetteville, NC.

3. Respondent allowed Tracy McKay to obtain permits using his license number.

4. In 2014 Tracy McKay was paid compensation totaling \$60,390.00 by the Respondent in his individual capacity and not in the name of Triple "A" Electric. Said payments were treated as a 1099 independent contractor arrangement.

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

5. Respondent failed to properly engage in business as an electrical contractor in the name of the business in which his qualifications are listed, Triple "A." Electric.

6. Respondent failed to supervise and direct electrical contracting done by Tracy McKay at 1989 Wilmington Hwy, Fayetteville, NC and 3745 Myron Road, Fayetteville, NC.

7. Respondent failed to hold an executed contract with the licensed general contractor or property owner for work where payment was made to Tracy McKay, a non-licensee.

8. Respondent exceeded the scope of the Special Single Family Dwelling license by installing electrical wiring at 1989 Wilmington Hwy, Fayetteville, NC on a building used as a commercial garage.

9. Respondent's statements and the evidence before the panel suggest that there are likely a number of other projects for which Tracy McKay engaged in business as an electrical contractor and that Respondent aided and abetted Tracy McKay efforts.

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, it is the recommendation of the Committee that the Board enter the following order:

1. That the license of the Respondent be suspended for a period of 6 (six) months.

2. Respondent shall pay a civil fine in the amount of \$500.00 to the Board within 30 days of this order.

3. Upon completion of six month suspension and return of a license to Respondent, the license of Respondent shall be placed on probation for a period of 1 year 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) complete the Business Class offered by the Board.

In the event Respondent fails to comply with the terms of his probation then Respondent shall appear before the Disciplinary Committee to show cause why his license and qualifications should not be either suspended or revoked.

There was no objection from Mr. Johnson and the Recommended Order was approved by the Board as a Final Decision December 3, 2015.

EFFECTIVE DATE: December 3, 2015

CASE FILE NUMBER: 2015-81

LICENSEE: Garrett Electrical And Maintenance Company

ADDRESS: 6224 Chris Court

Battleboro, NC 27809

LISTED QUALIFIED INDIVIDUAL: Robert Alvin Garrett

LICENSE NUMBER: 13639-L

VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (2), (3) and (7) in that firm:

(1) Sold, transferred and assigned electrical contracting license by entering into an agreement to allow Marvin Roundtree Jr. d/b/a Marvin's Maintenance to install

electrical wiring for a HVAC system located at Southwest High School, 16683 NC Highway 125 Halifax, NC 27839;

(2) Have aided or abetted unlicensed activity in that Robert Garrett allowed Marvin Roundtree Jr. to install electrical wiring without being a bona fide employee of Garrett Electrical And Maintenance Company; and

(3) Engaged in malpractice, unethical conduct and deceit in the use of electrical contracting license in that Robert Garrett allowed Marvin Roundtree Jr. d/b/a Marvin's Maintenance to pay Robert Garrett \$100 cash to obtain an electrical permit and final inspection for electrical wiring Marvin Roundtree Jr. d/b/a Marvin's Maintenance installed.

BOARD ACTION: The Disciplinary Committee recommended:

Suspension of electrical contractor's license and qualification for six (6) months from the date of this Order. License may be reinstated after six (6) months with the following conditions:

(1) Prior to reinstatement, pay Civil Penalty in the amount of one thousand dollars (\$1000.00);

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

(4) Utilize only employees receiving a NC tax forms W-4 and W-2 from the Respondent firm; and only on projects for what the firm provide supervision by a qualified individual;

(5) 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;

(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; and

(7) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.

In the event of failure to comply with the terms of probation, license and the right to serve as a listed qualified individual on any license will be revoked. The Board may impose such additional sanctions as indicated by any new violation of G.S. 87-47.4.

Robert Alvin Garrett requested suspension start August 24, 2015. Request was granted.

There was no objection from Mr. Garrett and the Recommended Order was approved by the Board as a Final Decision September 24, 2015.

EFFECTIVE DATE: September 24, 2015

RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2015-101

LICENSEE: Piedmont Power Solutions

ADDRESS: 1172 Todd Road
Roxboro, NC 27574

LISTED QUALIFIED INDIVIDUAL: Barry Stewart Cotton Jr.

LICENSE NUMBER: 22903-L

VIOLATION(S): 1. Barry Stewart Cotton, Jr. previously held, license #22903-L, which he allowed to expire on March 1, 2010.

2. Mr. Cotton was convicted of a number of felonies and misdemeanors during the time period of 2010 to 2012 arising from his drug addiction. Defendant was incarcerated with the North Carolina Department of Public Safety for a period of May 22, 2012 to May 4, 2014.

3. Following his release from custody, Mr. Cotton was on supervised probation until January 29, 2015 when he was released from supervision having fully complied with the terms of his probation. Since his release from prison in May 4, 2014, Applicant has been working for Harris Bros. Electric & Controls, Inc. His employer has provided letters of recommendation and Mr. Harris appeared to testify on Applicant's behalf as to his skill level as an electrician and his work ethic and present character.

4. Based on Applicant's answers to various questions during the Hearing, the applicant was able to sufficiently demonstrate that he has paid his debts to society, suffers from no chemical impairment at present and would not pose a risk to the public if licensed by the Board.

BOARD ACTION: The Disciplinary Committee recommended:

1. The License of Barry Stewart Cotton, Jr., 22903-L, is reinstated immediately subject to the conditions set forth in paragraph 2 below:

2. That the license of Barry Stewart Cotton, Jr. be placed on unsupervised probation for a period of one (1) year subject to the following conditions of probation:

a. He shall enroll and complete 16 hours of Continuing Education as approved by the Board within one year of the entry of this Order; and

b. He shall commit no violations of Article 4, Chapter 87 of the General Statutes or the Rules of this Board.

There was no objection from Mr. Cotton and the Recommended Order was approved by the Board as a Final Decision September 24, 2015.

EFFECTIVE DATE: September 24, 2015

CASE FILE NUMBER: 2015-139

LICENSEE: B.J. Electric

ADDRESS: 2915 Cameron Dr.
Sanford, NC 27332

LISTED QUALIFIED INDIVIDUAL: Paul Charles Buchanan Jr.

LICENSE NUMBER: 8367-L

VIOLATION(S): 1. Petitioner was previously the holder of an Intermediate license issued by the Board with license number 8367-L which license was last listed in the name of B.J. Electric which had as its qualifier, Petitioner Paul Charles Buchanan, Jr.

2. Petitioner allowed his license and qualifications to expire on January 31, 2008, and Petitioner has not been licensed since that time.

3. Petitioner was convicted of Indecent Liberties with a Minor in three separate cases on October 8, 2007 and was placed on probation. All three incidents involved female minors who were either visiting or living in Petitioner's home. Petitioner entered an "Alford plea" accepting responsibility for each of the three charges. At the time of those pleas the 3 victims were present and prepared to testify against Petitioner.

4. Petitioner was required to participate in a sex offender control program as part of his probation.

5. Petitioner also must remain on the NC Sex Offender Registry until at least October 22, 2017.

6. Petitioner has also been convicted of DWI in 1989 and 2014 and for the second conviction was sentenced to 60 days in jail and 12 months of probation.

7. By a letter petition dated August 5, 2015 Petitioner requested reinstatement of his license and qualifications.

8. Petitioner appeared pro se and submitted several letters of support which letters were considered by the committee. The Committee also takes note that the acts underlying the convictions were remote.

9. However, during his remarks Petitioner made statements indicating that:

a. The sex offender control program was neither necessary, nor helpful;

b. Respondent violated the terms of his probation by contacting one or more of the victims;

c. Respondents is not participating in any ongoing treatment or therapy;

d. Respondent does not believe he has a problem;

e. Respondent believes the victims were at least partially at fault;

f. Respondent questioned the effectiveness of his legal counsel who represented him during the criminal proceedings;

g. Respondent questioned the fairness of the Judge who sentenced him;

h. Respondent admitted to engaging in business as an electrical contractor without a proper license to do on multiple occasions after he allowed his license to lapse.

Respondent indicated his intent to continue to do so if the Board declines to reinstate his license and qualifications; and

i. Respondent, if his license and qualifications are reinstated, plans to engage in business as an electrical contractor in private residences and the Committee is concerned minors may potentially be residing in those homes.

CONSENT AGREEMENTS

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

Name: Daniel Louis Schieffelin
City: Franklin, NC
County: Macon
License Number: 23695-L
File Number: 2015-131

10. Petitioner showed no remorse for his criminal actions, accepted no responsibility for his actions, displayed no respect for the Board and demonstrated a disregard of the laws governing the electrical contracting profession.

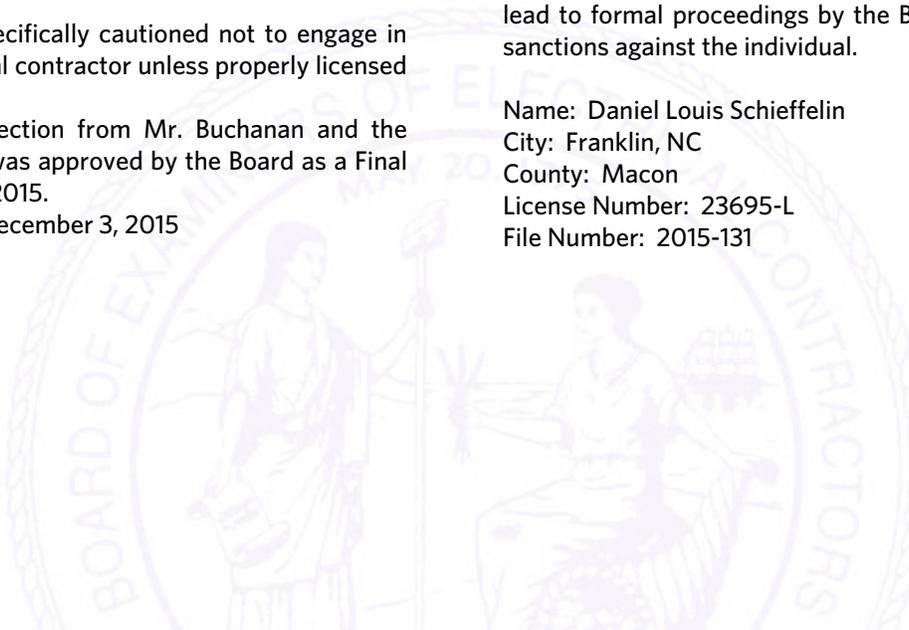
11. Based upon his answers to various questions during the Hearing, the Petitioner was unable to sufficiently demonstrate that he would not pose a risk to the public if licensed by the Board.

BOARD ACTION: Based upon the foregoing Findings of Fact and Conclusions of Law, it is the recommendation of the Committee that the Board enter the following Order:

1. The Petitioner's request that his license be reinstated is denied.
2. The Petitioner is specifically cautioned not to engage in business as an electrical contractor unless properly licensed to do so.

There was no objection from Mr. Buchanan and the Recommended Order was approved by the Board as a Final Decision December 3, 2015.

EFFECTIVE DATE: December 3, 2015



NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS

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

Name	City	County	File Number
Jordan Reed Abbott	Mooreville	Iredell	2015-69
William Bryant Ponce	Jacksonville, FL	Out of State	2015-51
Dennis Moore	Vandalia, OH	Out of State	2015-4
Danny Wright	Charlotte	Mecklenburg	2015-99
Coy Cantrell	Saluda	Polk	2015-62
Tommy F. Horner	Elon	Alamance	2015-116
Josh Wingate	Raleigh	Wake	2014-127
Idalia Portillo	Durham	Durham	2015-22
Steven E. Hurst	Pfafftown	Forsyth	2015-107
Christopher Holcombe	Fort Mills, SC	Out of State	2015-129

NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS

Jeffrey A. Wynne	New Bern	Craven	2014-64
Todd Amundson	Wilmington	New Hanover	2014-184
Jason Paul Fields	Raeford	Hoke	2014-160
John DeNault	Cary	Wake	2015-78
Mike Peters	Greensboro	Guilford	2015-87
Derrick Shoe	Sophia	Randolph	2015-88
Tom Roll	Sun Prairie, WI	Out of State	2015-100
Eddie Holt	Asheboro	Randolph	2015-89
Jack Rex Brust III	Durham	Durham	2015-123
David Brandon Noble	Roxboro	Person	2015-127
Tony Zack	Conway, SC	Out of State	2015-63
David Smart	Winston-Salem	Forsyth	2015-147
Michael Scott Rapp	Rock Hill, SC	Out of State	2015-145
Michael Wease	Moorestown	Rutherford	2015-144
Jake Phillips	Rock Hill, SC	Out of State	2015-158
Matt Richey	Rock Hill, SC	Out of State	2015-159
Nicholas Scott Stroupe	Bessemer City	Gaston	2015-167
Pedro Aquirre Valdes	Summerfield	Guilford	2015-140
German Rodriguez-Sibrian	Sanford	Lee	2015-141
Matthew Reynolds	Winston Salem	Forsyth	2015-102
Jeremy Swaim	Graham	Alamance	2015-153
Thomas Hanson	Parkton	Robeson	2014-233
William F. McBane	Snow Camp	Alamance	2015-110
Chester J. Gunshinan	Butner	Johnston	2014-58
Mike Johnson	Smithfield, VA	Out of State	2014-93
Joe Kidd Glenn	Raleigh	Wake	2014-68
Joseph Oliver Brinkley, Jr.	Greenville	Pitt	2014-105
Donald Adeyeme Taylor	Raleigh	Wake	2015-138
Shelly Jacobs	---	Chatham	2015-130
Ashley Smith	Charlotte	Mecklenburg	2015-156
Robert W. Phillips	Rock Hill, SC	Out of State	2015-154
Jeffery Mark Adkins	Yadkinville	Yadkin	2015-148
Stephen S. Mason, Jr.	Charlotte	Mecklenburg	2015-176
Matthew Trader	Murphy	Cherokee	2015-187

North Carolina State Board of Examiners of Electrical Contractors
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