

## NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

# NEWSLETTER

**JANUARY 2011**

**EDITION #59**

### **MESSAGE FROM THE CHAIR**

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The Holidays are a time for reflection - reflection on accomplishments of the past year. Some of the Board's projects this past year have been to begin using computers to cut down on paper use for Board meetings; the field staff equipment has been updated for faster communication and investigations; staff has been working diligently to increase the number of online renewals and working with North Carolina State University with the help of past Board member, Dr. Tony Mitchell, on a computer interactive method for administering the Board's examinations. We believe that one of our biggest assets is the people who maintain and operate the Board's offices, the inspectors who work in the field and surely not last, all our licensees. On behalf of the Board, we wish you the best for the Holiday Season and the New Year to come. May it bring you health, happiness, and success along the way. Enjoy your holiday rest and relaxation with family members; they are the reason for our year-long work. Trim the tree, eat those cookies, and wrap those packages all with one thing in mind: You've worked hard and you deserve to enjoy the season with family and friends.

Best Wishes in 2011.

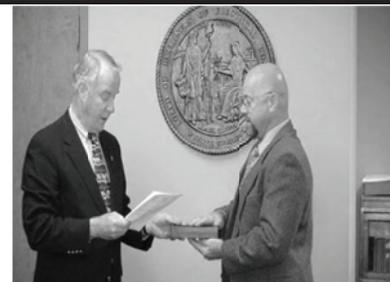
Donna M. Baxter, Chair

### **APPOINTMENT OF NEW BOARD MEMBER**

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Commissioner of Insurance, Wayne Goodwin has designated Mitchell Bryant to the State Board of Examiners of Electrical Contractors succeeding Tim Bradley. Mr. Bryant's term will expire June 30, 2017.

He is the Commissioner's designee from the NC Department of Insurance pursuant to NCGS 87-39.



Mr. Bryant is an Engineering Technician in the OSFM/ Risk Management Division, NC Department of Insurance. He conducts electrical inspections on State Property as well as providing consultant services to County and Municipal Inspection Departments. Mr. Bryant holds the following Standard Level Certificates for the NC Code Officials Qualifications Board: Electrical III, Building II, Mechanical II and Plumbing II. Mr. Bryant has been in the electrical industry over 37 years, 20 in construction and 17 as an inspector. His inspection career includes working for Winston-Salem/Forsyth County and Davidson County prior to his current position.

Mr. Bryant is an active member of the NC Ellis Cannady Chapter, International Association of Electrical Inspectors (IAEI). He is a past president and currently serves as treasurer and chair of several committees. He also represents the Chapter on the Southern Section, IAEI Board of Directors. Mr. Bryant also serves as treasurer for the NC Council of Code Officials.

Mr. Bryant resides in Welcome with his wife, DeWilla.

## 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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Beverly Perdue, Governor

### BOARD MEMBERS

Donna Baxter, **Chair**  
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Gray Bryant, **Vice Chair**  
Mt. Airy, NC

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Julian R. Burns  
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Executive Director

William A. Parris  
Cont. Ed & Exam Manager/  
Enforcement Coordinator

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Field Representative/Investigator

Jesse H. Skinner  
Field Representative/Investigator

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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

## TERM EXPIRES FOR BOARD MEMBER

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The term of Tim Bradley as a member of the State Board of Examiners of Electrical Contractors has recently expired.

Mr. Bradley served on the Board from 1999-2010. He was Board Vice Chairman 2008-2009 and was Board Chairman 2009-2010.

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

## IFSAC PAST CHAIRMAN TIM BRADLEY RECOGNIZED BY THE INSTITUTION OF FIRE ENGINEERS AS A "FELLOW"

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The International Fire Service Accreditation Congress (IFSAC) is proud to announce that past chairman Tim Bradley of the North Carolina Office of State Fire Marshal has been recognized by The Institution of Fire Engineers (IFE) in Gloucestershire, UK as being named a "Fellow" for his work in the fire service and more specifically on International Fire Service Accreditation. The IFE has a worldwide membership that measures above 10,000 but since its inception in 1918 have recognized less than 200 "Fellows" internationally.

Mr. Bradley coauthored a paper with Dr. Robin Willis Lee from the Fire Service College in Moreton Marsh England on Accreditation of Fire Service Training and Education Internationally.

Mr. Bradley states, "I felt truly honored to receive this designation from such a prestigious group, especially since it was based on efforts toward accrediting fire and rescue education efforts internationally. I think IFSAC and the IFE can work together to further that goal in the future."

Mr. Bradley has been in the fire service for over thirty-six (36) years. He currently serves as Senior Deputy Commissioner of Insurance in charge of the Office of State Fire Marshal in North Carolina. Mr. Bradley also chaired the NFPA Professional Qualification Committee for Fire Instructor for 15 years and served as Chairman of the Board of Governors for IFSAC for the past 14 years. Mr. Bradley now carries the designation FIFireE.

## 2010 ELECTRICAL APPRENTICE CONTEST WINNER

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Gregory Philligin, II, Watson Electrical Construction Co., LLC, Wilson, NC won first place in the 2010 North Carolina Electrical Apprentice Contest held October 20, 2010, at the NC State Fair, Raleigh, NC. Congratulations!

**8th ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR**

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Last year the Board presented Mr. Jeffrey James Rodriguez with the 7th Annual Continuing Education Instructor of the Year Award. It's time to cast your vote for the 2010 recipient of the "Instructor of the Year" Award. With your votes we will select an instructor who is dedicated, highly skilled and inspires others to learn.

The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education, please submit the instructor's name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. The instructor with the most votes will be recognized at the North Carolina Electrical Institute meeting being held April 5<sup>th</sup> and 6th, 2011 in Raleigh, NC.

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

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

**You must submit your vote to the Board's office by February 18, 2011.**

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 2010 Continuing Education Instructor of the Year:

INSTRUCTOR NAME: \_\_\_\_\_

SPONSOR NAME: \_\_\_\_\_

NOMINATED BY: \_\_\_\_\_

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**2011-2012 CONTINUING EDUCATION SPONSORS/INSTRUCTORS**

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Parties interested in applying to the Board for approval as 2011-2012 Continuing Education Sponsors and/or Instructors should go to the Board's web site at [www.ncbeec.org](http://www.ncbeec.org) or contact Robbie Bissette at 919-733-9042 ext. 204 at the Board's office for the appropriate application packet. All applications and other required information are due no later than March 1, 2011.

**Sponsors and instructors currently approved for this year will be mailed the 2011-2012 application information and do not need to contact us unless they have not received the application packet by January 30, 2011.**

## REPORT ON ACTIVE LICENSES-DECEMBER 2010

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	As of 12/21/2010
Intermediate	529
Limited	7,957
Unlimited	3,251
SP-SFD	470
SP-FA/LV	862
SP-PH	323
SP-EL	49
SP-ES	53
SP-SP	13
SP-WP	39
<b>Total</b>	<b>13,546</b>

## RULES PUBLIC HEARING

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The State Board of Examiners of Electrical Contractors will conduct a rules public hearing at 9:30 AM on February 24, 2011, at Brunswick Community College located at 50 College Road Bolivia, North Carolina 28422.

The purpose of this hearing is to adopt Board Rule cited as 21 NCAC 18B .0308; amend Board Rules cited as 21 NCAC 18B .0102, .0103, .0204, .0209, .0210, .0211, .0305, .0402, .0504, .0505, .0701, .0803, .0804, .1102 and .1103; and repeal Board Rules cited as 21 NCAC 18B .0106, .0205, .0206, .0207, .0208, .0601, and .0602. The proposed effective date is June 1, 2011. The proposed action is in response to Governor Perdue's Executive Order #70 – Rules Modification and Improvement Program by writing a new rule to address licensee responsibility for permits and inspections on electrical work for which the licensee installed, correct reference to statutes where changes have occurred, comply with statutory requirement set out in 93B-2, shorten, clarify and repeal rules for procedures for administering the qualifying examinations, issuing licenses and continuing education program. Persons interested in the proposed action may present written or oral statements at the public hearing or in writing prior to April 4, 2011 by mail addressed to: Robert L. Brooks, Jr., Executive Director, PO Box 18727, Raleigh, NC 27619.

The complete text of each rule to be considered at the public hearing is below. Additions to the rule are underlined. Text to be deleted or replaced is crossed out.

### NEW RULE

#### **21 NCAC 18B .0308 PERMITS AND INSPECTIONS**

(a) A licensed contractor shall ensure that a permit is obtained from the local Code Enforcement official before commencing any work for which a license is required by the Board except as set out in Paragraph (c) of this Rule. The contractor shall also ensure that a request for final inspection is made by him, the general contractor or the owner within 10 days of substantial completion of the work for which a license is required, absent agreement both with the owner and the local Code Enforcement official. Absent agreement with the local Code Enforcement official the licensee is not relieved by the Board of responsibility to arrange inspection until a certificate of compliance or the equivalent is obtained from the local code enforcement official or the licensee has clear and convincing evidence of his effort to obtain same.

(b) A licensed contractor 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.

(c) An electrical permit is not required for repair or replacement of electrical lighting fixtures or devices, such as receptacles and lighting switches, or for the connection of an existing branch circuit to an electric water heater that is being replaced, provided that all of the following requirements are met:

- (1) with respect to electric water heaters, the replacement water heater is placed in the same location and is of the same or less capacity and electrical rating as the original;
- (2) with respect to electrical lighting fixtures and devices, the replacement is with a fixture or device having the same voltage and the same or lower amperage;
- (3) the repair or replacement installation meets the current edition of the State Building Code, including the State Electrical Code.

*History Note: Authority G.S. 87-42; 87-43; 87-46 153A-357; 160A-417  
Eff. \_\_\_\_\_;*

## AMEND

### **21 NCAC 18B .0102 REFERENCE TO STATE BUILDING AND ELEVATOR CODES**

(a) Pursuant to G.S. ~~150B-14(e)~~ 150B-21.6, the North Carolina State Building Code, Volume IV Electrical, and the National Electrical Code, NFPA 70, are adopted by reference. Whenever a reference is made to this Subchapter to one of these codes, it shall mean the current edition any amendments thereto. The term "National Electrical Code" when used in these rules includes both codes adopted under this Subsection.

(b) Pursuant to G.S. ~~150B-14(e)~~ 150B-21.6, the North Carolina codes and standards for elevators, dumbwaiters, escalators, moving walks and personnel hoists, administered by the North Carolina Department of Labor and codified as 13 NCAC 15 .0200, are adopted by reference. Whenever a reference is made in this Subchapter to these codes and standards, it shall mean the current edition and amendments thereto.

*History Note: Authority G.S. 87-39; 87-42; 95-11(e); 143-138;  
Eff. October 1, 1988.  
Amended Eff. \_\_\_\_\_*

## AMEND

### **21 NCAC 18B .0103 ORGANIZATION**

(a) Executive Director. The Board shall employ a full-time executive director whose duties shall be to manage and supervise the office and staff in carrying out the policies and directives of the Board. The executive director shall handle all administrative duties of the Board and such other duties as the Board may from time to time assign. The executive director is designated the legal process agent for the Board upon whom all legal process may be served. The compensation of the executive director shall be fixed by the Board.

(b) Committees. The chairman of the Board may appoint regular, special, and special advisory committees. Regular committees facilitate prescribed phases of the Board's duties and operations. Special committees undertake specific assignments of the Board. Special advisory committees assist the Board's regular or special committees with specific board assignments.

(c) Meetings. The regular quarterly meetings of the Board shall begin at 8:30 a.m., unless some other place or time is set by the Board. Special meetings may be held at places and times deemed by the chairman to be suitable to accomplish the necessary purposes for which the meetings are held.

(d) Annual Reports. The Board will make timely filing of all reports required by GS 93B-2. In case of unforeseen circumstances causing the untimely filing of a report, then pursuant to GS 93B-2(d), the Board will hold in escrow any

fees tendered between the filing deadline and the filing date. Issuance of licenses, renewals and application processing will continue during any interval created by the untimely filing of a report required by GS 93B-2.

*History Note: Authority G.S. 87-39; 87-40; 87-42; 93B-2(d)*  
*Eff. October 1, 1988;*  
*Amended Eff. February 1, 1996; February 1, 1990.*  
*Amended Eff. \_\_\_\_\_*

## AMEND

### **21 NCAC 18B .0204 EXAMINATIONS**

(a) The executive director is authorized to arrange for examinations to be administered by the Board or the Board's authorized computer testing service.

~~(a)~~ (b) All qualifying examinations administered by the Board for each license classification shall be written or computer-based examinations and must be taken personally by the approved applicant.

~~(b)~~ (c) Approved applicants shall be provided a notice of examination eligibility that shall be valid for a period of three months and for a single administration of the qualifying examination. Upon receipt of a notice of examination eligibility from the Board, the applicant shall schedule the examination by contacting the Board or the authorized testing service. The applicant will be scheduled for the examination and will be notified of the date, time and place.

(d) A minimum grade of 75 of a possible score of 100 is required in order to pass any qualifying examination administered by the Board.

*History Note: Authority GS 87-42; 87-43.3; 87-43.4;*  
*Eff. October 31, 1988;*  
*Temporary Amendment Eff. August 31, 2001;*  
*Amended Eff. January 1, 2006; July 18, 2002.*  
*Amended Eff. \_\_\_\_\_*

## AMEND

### **21 NCAC 18B .0209 FEES**

(a) The examination fee for ~~regular~~ qualifying examinations is ninety dollars (\$90.00) for all classifications.

~~(b) The examination fee for a specially arranged qualifying examination is two hundred dollars (\$200.00) for all classifications.~~

~~(c)~~ (b) The fee for review of a failed examination is twenty -five dollars (\$25.00). All reviews are supervised by the Board or staff.

~~(d)~~ (c) The examination fees for ~~regular or specially arranged~~ examinations in all classifications and the fees for examination reviews may be in the form of cash, check, money order, Visa or MasterCard made payable to the Board and must accompany the respective applications when filed with the Board.

~~(e)~~ (d) Examination fees received with applications filed for qualifying examinations shall be retained by the Board unless:

(1) an application is not filed as prescribed in Rule .0210 of this Section, in which case the examination fee and application shall be returned; or

(2) the applicant does not take the examination during the period for which application was made, files a written request for a refund, setting out extenuating circumstance, and the Board finds extenuating circumstances.

~~(f)~~ (e) Examination review fees are non-refundable unless the applicant does not take the review, files a written request for a refund, setting out extenuating circumstance, and the Board finds extenuating circumstances.

~~(g)~~ (f) Any fee retained by the Board shall not be creditable toward any future examination fee or examination review.

~~(h)~~ (g) Extenuating circumstances for the purposes of Paragraphs ~~(c)~~ (d) (2) and ~~(f)~~ (e) of this Rule shall be the applicant's illness, bodily injury or death, or death of the applicant's spouse, child, parent or sibling, or a breakdown of the

applicant's transportation to the designated site of the examination or examination review.

*History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;  
Eff. October 1, 1988;  
Amended Eff. May 1, 1998; July 1, 1989;  
Temporary Amendment Eff. June 30, 2000;  
Temporary Amendment Eff. August 31, 2001;  
Amended Eff. December 4, 2002;  
Amended Eff. January 1, 2008  
Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0210 APPLICATIONS DULY FILED**

Examinations applications shall be considered as duly filed when the applicant has filed an application with the Board, on a form provided by the Board, together with the examination fee as prescribed in Rule .0209 of this Section and information sufficient to establish the minimum examination requirements applicable to the classification involved. By filing ~~his~~ an application with the Board an applicant authorizes the Board or the Board's staff to verify, in any manner the Board or staff deems necessary and appropriate, the information submitted on or in support of ~~his~~ the application. The Board or staff shall determine whether applications are duly filed, process all applications, and return all applications not duly filed.

*History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;  
Eff. October 1, 1988;  
Temporary Amended Eff. August 31, 2001;  
Amended Eff. July 18, 2002.  
Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0211 WAITING PERIOD BETWEEN EXAMINATIONS**

(a) A person who fails a ~~regular~~ qualifying examination must wait before being eligible to take another ~~regular~~ examination in the same classification. The waiting period depends on the score on the failed examination, as follows:

Failed Examination Grade	Waiting Period
74-65	3 months
64 and below	6 months

(b) A person who fails an examination in the same license classification three times must satisfactorily complete a minimum of 16 hours classroom education on the electrical code provided by a board-approved continuing education sponsor before retaking the examination.

(c) A person shall be considered a new applicant each time he applies to take an examination and must file an application on the standard application form and pay the required examination fee.

*History Note: Authority G.S. 87-42; 87-43.3; 87-43.4;  
Eff. October 1, 1988;  
Amended Eff. January 1, 2006.  
Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0305 INSTALLATION AND SERVICING OF CERTAIN EQUIPMENT LICENSE REQUIREMENTS AND EXEMPTIONS**

- (a) Pursuant to G.S. 87-43.1(7), an electrical contractor's license is not required for:
- (1) the installation and servicing of electrical appliances or equipment which is being supplied through a cord connected by means of an attachment plug-in device to a suitable permanently installed receptacle; and
  - (2) the servicing of electrical appliances or equipment being supplied through wiring connected to a permanently installed junction box.
- (b) Unless exempted by a statute other than G.S. 87-43.1(7), an electrical contractor's license is required for:
- (1) the installation of the permanently installed receptacles to which cord-supplied electrical appliances or equipment are connected;
  - (2) the installation of the permanently installed junction boxes to which electrical appliances or equipment are connected; and
  - (3) any wiring connected to and supplied from the out-put side of any electrical appliances or equipment regardless of whether such appliances or equipment are supplied through a cord connected by means of an attachment plug-in device to a suitable permanently installed receptacle or are supplied through wiring connected to a permanently installed junction box.

*History Note: Authority G.S. 87-42; 87-43.1;*  
*Eff. October 1, 1988.*  
*Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0402 LICENSE NAME REQUIREMENTS**

- (a) Issuance of License. The name in which a license is issued must be distinguishable upon the records of the Board from the name in which a license has already been issued. If the name requested, after deleting all spaces, punctuation marks, articles, prepositions, conjunctions and, whether abbreviated or not, "corporation," "incorporated," "company," or "limited," is not identical to the name in which a license has already been issued, it shall be distinguishable. The substitution of a numeral for a word that represents the same numeral shall not make the name distinguishable.
- (b) Name In Which Business Must Be Conducted. All electrical contracting business, including all business advertising and the submission of all documents and papers, conducted in the state of North Carolina by a licensee of the Board shall be conducted in the exact name in which the electrical contracting license is issued.
- (c) Notification of Address, ~~and~~ Telephone Change and Email Address. All licensees shall notify the Board in writing within 30 days of any change in location, mailing address, ~~and~~ telephone number or email address.

*History Note: Authority G.S. 87-42;*  
*Eff. October 1, 1988;*  
*Amended Eff. March 1, 1999; February 1, 1996.*  
*Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0504 ~~ONCE LISTED BUT NOT NOW LISTED~~ QUALIFIED INDIVIDUAL – LISTING OPTIONS AFTER EXPIRATION**

- (a) A qualified individual who was formerly but is not now listed on any license may apply for and obtain a license upon meeting all current licensing requirements not previously met and by submitting to the Board:
- (1) a license application on a form furnished by the Board;

- (2) payment of the appropriate license fee; and
  - (3) if more than 12 months has elapsed since the qualified individual was listed on an active license, information verifying that, during the 12 month period immediately preceding the date the application is filed with the Board, the qualified individual has engaged for at least 1,000 hours in an occupation of primary experience as defined in Rule .0202 of this Subchapter or completed 16 contact hours of approved continuing education.
- (b) A qualified individual who was formerly but is not now listed on any license may be listed on a current active license in the same or a lower classification as the classification of examination passed by submitting to the Board:
- (1) a written request from the licensee, co-signed by the qualified individual, requesting the Board to list the qualified individual on the license;
  - (2) the ~~licensee's~~ licensee's current license certificate; and
  - (3) if more than 12 months has elapsed since the qualified individual was listed on an active license, information verifying that, during the 12 month period immediately preceding the date the application is filed with the Board, the qualified individual has engaged for at least 1,000 hours in an occupation of primary experience as defined in Rule .0202 of this Subchapter or completed 16 contact hours of approved continuing education.

*History Note: Authority G.S. 87-42; 87-43;  
 Eff. October 1, 1988;  
 Amended Eff. March 1, 1999; February 1, 1990.  
 Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0505 QUALIFIED INDIVIDUAL: ~~NEVER LISTED NOR OBTAINED LICENSE~~ – INITIAL LISTING OPTIONS**

A qualified individual who has passed the qualifying examination for a license but has never obtained a license nor been a listed qualified individual on any license shall:

- (1) be eligible to obtain a license in the same or lower classification as the classification of examination passed upon meeting all current licensing requirements not previously met and by submitting to the Board:
  - (a) a license application on a form furnished by the Board;
  - (b) payment of the appropriate license fee; and
  - (c) if more than 12 months has elapsed since the qualified individual passed the qualifying examination for a license, information verifying that, during the 12 month period immediately preceding the date the application is filed with the Board, the qualified individual has engaged for at least 1,000 hours in an occupation of primary experience as defined in Rule .0202 of this Chapter or completed 16 contact hours of approved continuing education.
- (2) be eligible to be included as a listed qualified individual on a current active license in the same or a lower classification as the classification of examination passed upon submitting to the Board:
  - (a) a written request from the licensee, co-signed by the qualified individual, requesting the Board to list the qualified individual on the license;
  - (b) the licensee's current license certificate; and
  - (c) if more than 12 months has elapsed since the individual passed the qualifying examination for a license, information verifying that, during the 12 month period immediately preceding the date the application is filed with the Board, the qualified individual has engaged for at least 1,000 hours in an occupation of primary experience as defined in Rule .0202 of this Chapter or completed 16 contact hours of approved continuing education.

*History Note: Authority G.S. 87-42; 87-43;  
 Eff. October 1, 1988;  
 Amended Eff. March 1, 1999; February 1, 1990.  
 Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0701 GENERAL REQUIREMENTS LICENSE BY RECIPROCITY**

(a) The Board has entered into reciprocal licensing agreements with contractor licensing boards of several states whereby electrical contractors licensed by the other state boards may obtain a North Carolina electrical contracting license without written examinations provided:

- (1) the applicant furnishes to the Board a written statement from the state licensing board certifying that the applicant holds a current electrical contracting license issued by that board;
- (2) the proposed qualified individual for the applicant is the same individual who is duly qualified for the license currently issued to the applicant by the state licensing board;
- (3) the applicant files an application on a form provided by the Board requesting a license under the licensing reciprocity agreement currently in effect between the Board and the applicant's state licensing board;
- (4) except for the written examination requirement, the applicant furnishes to the Board information satisfactorily verifying to the Board that he meets all of the requirements in Sections .0200, .0300 and .0400 of this Subchapter applicable to the specific license classification requested;
- (5) the applicant pays to the Board the annual license fee as required in Rule .0404 of this Subchapter for the specific license classification; and
- (6) the license classification for which application is made is a classification for which the license from the other state is treated as equivalent under the agreement with that state.

(b) The expiration date for each license issued under a reciprocal agreement shall be as prescribed in G.S. 87-44.

(c) The renewal application due date and late filing penalty for a license issued under a reciprocal agreement shall be as prescribed in Rule .0405 of this Subchapter.

(d) Copies of all reciprocity agreements and applications are available from the Board.

(e) In the absence of a current reciprocity agreement in force between the contractor licensing board of a particular state and this Board, there is no waiver of examination.

*History Note: Authority G.S. 87-42; 87-50;*

*Eff. October 1, 1988;*

*Amended Eff. April 15, 2003; March 1, 1999; June 1, 1993.*

*Amended Eff. \_\_\_\_\_*

AMEND

**21 NCAC 18B .0803 SCOPE OF SP-SFD LICENSE**

(a) Definitions. The following definitions apply in this Rule:

(1) ~~A~~ "Ancillary" with reference to the scope of a single family residential dwelling license, is an appurtenance or ~~an~~ out-building or similar structure associated with the single family dwelling such as a detached residential garage or carport, a farm or household equipment storage shed, a barn, a pump house, an electric fence, or yard lighting.

(2) "Habitation" means the occupancy of dwelling primarily or exclusively for residential purposes and includes the incidental use of the dwelling or its ancillaries for a business, commercial, or professional activity, such as providing hair dressing, medical, legal, consulting, or tax services, if:

(A) the activity is clearly incidental to the primary use of the dwelling as a residence;

(B) no stock-in-trade is either displayed or sold on the premises;

(C) the full-time or part-time services of no more than one person who does not live at the dwelling are used in the activity.

(3) A "single family residential dwelling" is a building or a manufactured home that is designed and used only for habitation by one family and is not physically attached to any other building or structure. Cabanas, porches, room additions, and ~~similar~~ ancillary structures are considered part of a single family dwelling if they are designed for and used only for residential purposes by the occupants of the dwelling.

(b) A special restricted single family residential dwelling electrical contracting license (SP-SFD) authorizes the licensee to install, maintain, or repair only electrical wiring and devices that are in or on a single family residential dwelling or ~~an~~ are ancillary to a single family residential dwelling. Electrical work ~~that is covered by~~ within the scope of another special restricted license can be performed by a SP-SFD licensee without obtaining the other special restricted license as long as it is in or on a single family residential dwelling or ~~an~~ is ancillary to a single family residential dwelling.

*History Note: Authority G.S. 87-42; 87-43.4;*  
*Eff. October 1, 1988.*  
*Amended Eff. \_\_\_\_\_*

## AMEND

### **21 NCAC 18B .1102 MINIMUM REQUIREMENTS FOR COURSE SPONSOR APPROVAL**

(a) Each course sponsor shall submit an application for continuing education course sponsor approval to the Board on a form provided by the Board by March 1 prior to the fiscal year (July 1 - June 30) in which the course will be offered. For good cause, the Board may approve course sponsors at any quarterly board meeting. The application shall include:

- (1) the name of the sponsor;
- (2) sponsor contact person, address, ~~and~~ telephone number and email address;
- (3) course title and outline;
- (4) course contact hours;
- (5) schedule of courses, if established, including dates, time and locations;
- (6) course fee; and
- (7) names and credentials of each instructor.

(b) To qualify as an approved continuing education course sponsor:

- (1) all courses offered by the sponsor shall last no fewer than two contact hours required for the license classification pursuant to Rule .1101(b) of this Section; and
- (2) all courses offered by the sponsor shall cover articles of the current National Electrical Code; NFPA 72 and reference materials for Fire Alarm Systems; G.S. 87, Article 4; 21 NCAC 18B; or other subject matter satisfying the requirements in G.S. 87-44.1 as approved by the Board.

(c) The course sponsor or instructor shall provide the Board with a certified class roster of all attending qualified individuals within ~~30~~ 10 days after the completion of each course.

(d) The course sponsor or instructor shall provide each attending qualified individual with a certificate of completion within ~~30~~ 10 days after completion of each course.

(e) The Board shall approve or deny applications at its ~~April meeting~~ regular quarterly meetings.

(f) Upon approval of the application, each approved sponsor shall agree to conduct courses in accordance with this Section and the application and shall indicate its agreement by signing a continuing education sponsor agreement form provided by the Board.

*History Note: Authority G.S. 87-42; 87-44.1;*  
*Eff. October 1, 1990;*  
*Amended Eff. January 1, 2010; January 1, 2006; March 1, 1999*  
*Amended Eff. \_\_\_\_\_*

## AMEND

### **21 NCAC 18B .1103 MINIMUM REQUIREMENTS FOR COURSE INSTRUCTOR APPROVAL**

(a) Each course instructor shall submit an application for continuing education course instructor approval to the Board on a form provided by the Board by March 1 prior to the fiscal year (July 1 – June 30) in which the course will be offered. For good cause, the Board may approve course instructors at any quarterly board meeting. The application shall include:

- (1) The name of the instructor;
  - (2) Instructor's address, ~~and~~ telephone number and email address;
  - (3) The name of the course sponsor;
  - (4) Course title;
  - (5) Course contact hours; and
  - (6) Qualifications of instructor.
- (b) ~~Beginning March 1, 1994, no~~ No applicant shall be considered for approval as a continuing education course instructor unless the applicant satisfies at least one of the following:
- (1) Be a "qualified individual" as defined in G.S. 87-41.1(1) and certified as such by the Board pursuant to G.S. 87-42. This applicant will be considered for approval as a continuing education instructor to teach courses in the same or lower license classification in which the applicant is certified as a "qualified individual" as follows:
    - Unlimited - Any License Classification
    - Intermediate - Intermediate, Limited, SP-SFD and any SP-Restricted Classification
    - Limited - Limited, SP-SFD and any SP-Restricted Classification
    - SP-Restricted - Only in same SP-Restricted Classification
  - (2) Have passed the Continuing Education Instructor Examination prescribed and conducted by the Board. This applicant will be considered for approval as a continuing education instructor to teach courses in any license classification.
  - (3) Be a "qualified code-enforcement official" as defined in G.S. 143-151.8(a)(5) and certified as such by the North Carolina Code Officials Qualification Board as holding qualifications for an electrical inspector in Standard Level III, Standard Level II or Standard Level I categories. This applicant will be considered for approval as a continuing education instructor to teach courses in license classifications as follows:
    - Standard Level III - Any License Classification
    - Standard Level II - Intermediate, Limited, SP-SFD and any SP-Restricted Classification
    - Standard Level I - Limited, SP-SFD and any SP-Restricted Classification.
  - (4) Be found by the Board to have professional or trade experience or other special qualifications qualifying him to teach courses in the license classification or classifications determined by the Board.
- (c) The Board may deny an application if it finds that the applicant has failed to comply with the terms of any agreement as provided in Paragraph ~~(g)~~ (f) of this Rule or the rules of the Board.
- (d) The course instructor application shall be submitted together with the application for continuing education course sponsor approval as prescribed in Rule .1102 of this Section.
- (e) The Board shall approve or deny applications at its ~~April meeting~~ regular quarterly meetings.
- ~~(f) Appeals from denials shall be heard by the Board at a scheduled meeting in May.~~
- ~~(g)~~ (f) Upon approval of the application, each approved instructor shall agree to conduct courses in accordance with this Section and shall indicate his agreement by signing a continuing education instructor agreement form provided by the Board.

*History Note: Authority G.S. 87-42; 87-44.1;  
 Eff. October 1, 1990;  
 Amended Eff. January 1, 2006; April 1, 1993.  
 Amended Eff. \_\_\_\_\_*

REPEAL

~~**.0106 JOINT RESOLUTION AND AGREEMENTS**~~

- ~~(a) When deemed necessary for the effective implementation of Article 4, Chapter 87, of the North Carolina General Statutes, the Board may enter into joint resolutions or agreements with other North Carolina licensing boards or agencies.~~
- ~~(b) Exact copies of all joint resolutions or agreements entered into by the Board shall be filed with the North Carolina Secretary of State and the North Carolina Attorney General.~~

~~History Note: Authority G.S. 87-39; 87-42;  
Eff. October 1, 1988.~~

REPEAL

~~**.0205 MINIMUM PASSING GRADE**~~

~~A minimum grade of 75 is required for passing any qualifying examination administered by the Board for any class of electrical contracting license.~~

~~History Note: Authority G.S. 87-42; 87-43.3; 87-43.4;  
Eff. October 1, 1988.~~

REPEAL

~~**.0206 REGULAR EXAMINATIONS**~~

~~The executive director is authorized to arrange for regular examinations to be administered by the Board or the Board's authorized computer testing service.~~

~~History Note: Authority G.S. 87-42; 87-43.3; 87-43.4;  
Eff. October 1, 1988;  
Amended Eff. April 1, 1993;  
Temporary Amended Eff. August 31, 2001;  
Amended Eff. July 18, 2002.~~

REPEAL

~~**.0207 APPLICATION FOR REGULAR EXAMINATIONS**~~

~~(a) To be eligible for consideration, applications for regular examinations must be filed with the Board on a form furnished by the Board.~~

~~(b) The Board's staff shall determine whether applications are filed in accordance with Rule .0210 of this Section, process all applications, and return all applications not duly filed.~~

~~History Note: Authority G.S. 87-42; 87-43.3; 87-43.4;  
Eff. October 1, 1988;  
Amended Eff. February 1, 1996;  
Temporary Amended Eff. August 31, 2001;  
Amended Eff. July 18, 2002.~~

REPEAL

~~**.0208 SPECIALLY ARRANGED EXAMINATIONS**~~

~~(a) Specially arranged examinations are examinations given in the Board's office or elsewhere at a time other than during a regular examination period.~~

~~(b) Provided the conditions of this Rule are met, the Board's staff may accept applications for specially arranged examinations, to expedite verification of references and qualifications of applicants, and to arrange for such applicants to take a specially arranged examination if the staff finds that a specially arranged examination is justified. The Board shall consider and act on applications at the request of the application review committee or on written appeal of an applicant.~~

~~(c) An out of state electrical contractor shall mean a person, partnership, firm or corporation currently operating an~~

~~electrical contracting business in accordance with the laws of his or its home state, outside the State of North Carolina. The Board shall give specially arranged examinations on a reciprocal basis for out of state electrical contractors whose circumstances require that they be licensed prior to the time when a regular examination is scheduled and when such contractors are not eligible for a license pursuant to G.S. 87-50 because no reciprocal licensing agreement exists. An out of state electrical contractor's need to bid or otherwise offer to engage in a specific North Carolina project, the time table for which will not permit waiting until the next examination period, may constitute circumstances reasonably justifying the scheduling of a specially arranged examination for the individual representing such out of state electrical contractor.~~

~~(1) To be eligible to take a specially arranged examination, the individual applying to become qualified must file with the Board an application, together with the following:~~

~~(A) Information satisfactorily verifying that the out of state electrical contractor which the individual represents is engaged in a lawful electrical contracting business in its home state. If the out of state electrical contractor is required to be, and is, licensed in its home state as an electrical contractor, this information must include written verification that the licensing agency of such state will grant the same specially arranged privilege to North Carolina electrical contractors.~~

~~(B) Information satisfactorily verifying the need for a North Carolina license prior to the next examination period.~~

~~(C) The specially arranged application examination fee as prescribed in Rule .0209 of this Section.~~

~~(D) Information satisfactorily verifying that the applicant for the examination has met all the minimum requirements applicable to the classification involved as prescribed in Rules .0201, .0202 and .0210 of this Section.~~

~~(2) The Board's staff shall approve the application if the out of state electrical contractor is required to be, and is, licensed in its home state as an electrical contractor and if the licensing agency in that state has committed itself in writing to grant to electrical contractors licensed by North Carolina the same privilege which the applicant is requesting from the Board.~~

~~(3) The applicant shall take the examination for the classification of license involved, and at such special time and place as mutually agreed upon by the Board's staff and the applicant.~~

~~(4) Specially arranged examinations shall be graded promptly, and immediately thereafter the applicant shall be notified of the results. If the applicant passes, the out of state electrical contractor which he represents will be eligible to apply for a license based upon his qualifications and, upon meeting all of the other license requirements applicable to the license classification involved, as prescribed in Section .0400 of this Subchapter, a license shall be issued to the out of state electrical contractor with him indicated thereon as the qualified individual. If the applicant fails the examination, he will be required to wait the normally required six month waiting period between examinations before being eligible to take another specially arranged examination. However, if he meets all of the other requirements and wishes to apply to take another specially arranged examination in a classification lower than the classification of his failed examination, or to apply to take a regular examination during the next examination period, the normally required six month waiting period shall not apply.~~

~~(d) A North Carolina electrical contractor shall mean a person, partnership, firm or corporation licensed by the Board to engage or offer to engage in the business of electrical contracting within the state of North Carolina. The Board shall give a specially arranged examination for a North Carolina electrical contractor whose circumstances require that it be licensed in a classification higher than its current license prior to the time when a regular examination is scheduled. A North Carolina electrical contractor's need to bid or otherwise offer to engage in a specific electrical contracting project having a value exceeding the limitations of such contractor's current license, the time table for which will not permit waiting until the next regular examination period, may constitute circumstances reasonably justifying the scheduling of a specially arranged examination for the individual representing such North Carolina electrical contractor.~~

~~(1) To be eligible to take a specially arranged examination, the individual applying to become qualified must file with the Board an application, together with the following:~~

~~(A) Information satisfactorily verifying the need to have the license upgraded prior to the next regular examination period.~~

~~(B) The specially arranged application examination fee as prescribed in Rule .0209 of this Section.~~

~~(C) Information satisfactorily verifying that the applicant for the examination has met all the minimum requirements applicable to the classification involved as prescribed in Rules .0201, .0202 and .0210 of this Section.~~

- ~~(2) When an application for a specially arranged examination is received, the Board's staff shall determine if the applicant is the duly authorized representative of an electrical contractor licensed by the Board and, if so, shall approve the application.~~
- ~~(3) The applicant shall take the examination for the classification of license involved, at such time and place as mutually agreed upon by the Board's staff and the applicant.~~
- ~~(4) Specially arranged examinations shall be graded promptly, and immediately thereafter the applicant shall be notified of the results. If the applicant passes, the electrical contractor which he represents will be eligible to apply to have its license upgraded based upon the passing applicant's qualification and, upon meeting all of the other license requirements applicable to the license classification involved, as prescribed in Section .0400 of this Subchapter, a new license shall be issued to the electrical contractor with him indicated thereon as the qualified individual. If the applicant fails the examination, he will be required to wait the normally required six month waiting period between examinations before being eligible to take another specially arranged examination. However, if he meets all of the other requirements and wishes to apply to take another specially arranged examination in a classification lower than the classification of his failed examination, or to apply to take a regular examination during the next examination period, the normally required six month waiting period shall not apply.~~

~~(e) For the purposes of this Subsection, the loss of a listed qualified individual shall mean a currently licensed electrical contractor being left without a listed qualified individual regularly on active duty in its electrical contracting principal or separate place of business. The Board shall give a specially arranged examination for an electrical contractor which has lost its listed qualified individual to have another representative take a specially arranged examination for the purposes of maintaining continuity of such electrical contractor's business. To be eligible to take a specially arranged examination, the individual applying to become qualified must file with the Board an application, together with the following:~~

- ~~(1) Information satisfactorily verifying the electrical contractor's need for a representative to take a specially arranged examination before the next regular examination period.~~
- ~~(2) The specially arranged application examination fee as prescribed in Rule .0209 of this Section.~~
- ~~(3) Information satisfactorily verifying that the applicant for the examination has met all the minimum requirements applicable to the classification involved as prescribed in Rules .0201, .0202 and .0210 of this Section.~~

~~History Note: Authority G.S. 87-42; 87-43.3; 87-43.4; 87-44;~~

~~Eff. October 1, 1988;~~

~~Amended Eff. August 1, 1999; February 1, 1990;~~

~~Temporary Amended Eff. August 31, 2001;~~

~~Amended Eff. July 18, 2002.~~

## REPEAL

### **21 NCAC 18B .0601 LICENSES EXPIRING AND INDIVIDUALS QUALIFIED/JULY 1, 1970**

~~(a) Inactive Class I Licensee or Individual. Subject to Section .0400 of this Subchapter, any licensee whose last active license was a Class I license that expired on or before June 30, 1970, or any listed qualified individual who was last indicated as such on a Class I license that expired on or before June 30, 1970, and currently has Class I license qualifications is entitled to receive, without written examination, a license in either the limited, intermediate or unlimited classification upon:~~

- ~~(1) filing an application with the Board designation the class license desired; and~~
- ~~(2) paying the annual license fee for the license classification desired.~~

~~(b) Initial Choice of License Classification. The inactive Class I licensee or Class I qualified individual may initially choose either the limited, intermediate or unlimited license. Thereafter the same requirements which apply to new applicants must be met to obtain a license in a classification higher than the license initially chosen.~~

~~(c) Inactive Class II Licensee or Individual. Subject to Section .0400 of this Subchapter, any licensee whose last active license was a Class II license that expired on or before June 30, 1970, or any listed qualified individual who was last indicated as such on a Class II license that expired on or before June 30, 1970, and currently has Class II license qualifications may obtain a license in either the limited, intermediate or unlimited license classification without written examination upon meeting the requirements for the particular license classification as follows:~~

~~(1) To obtain a limited license, the applicant must:~~

~~(A) file an application with the Board requesting a limited license; and~~

~~(B) pay the annual fee for the limited license.~~

~~(2) To obtain an intermediate license, the applicant must:~~

~~(A) file an application with the Board requesting an intermediate license;~~

~~(B) pay the annual fee for the intermediate license; and~~

~~(C) furnish to the Board, on a form provided by the Board, a statement from a bonding company licensed to do business in North Carolina certifying the applicant's ability to furnish a performance bond for electrical contracting projects in excess of twenty five thousand dollars (\$25,000) or submit other information regarding the applicant's financial and business qualifications for evaluation by the Board.~~

~~(3) To obtain an unlimited license, the applicant must:~~

~~(A) file an application with the Board requesting an unlimited license;~~

~~(B) pay the annual fee for the unlimited license; and~~

~~(C) furnish to the Board, on a form provided by the Board, a statement from a bonding company licensed to do business in North Carolina certifying the applicant's ability to furnish a performance bond for electrical contracting purposes in excess of seventy five thousand dollars (\$75,000) or submit other information regarding the applicants financial and business qualifications for evaluation by the Board.~~

~~History Note: Authority G.S. 87-42; 87-49;~~

~~Eff. October 1, 1988;~~

~~Amended Eff. February 1, 1996; February 1, 1990~~

## REPEAL

### **~~21 NCAC 18B .0602 QUALIFIED INDIVIDUALS LISTED PRIOR TO JULY 1, 1970~~**

~~For the purpose of reclassification only, any qualified individual whose name was listed on a license which expired on or before June 30, 1970, shall be deemed a holder of the class license on which his name was listed.~~

~~History Note: Authority G.S. 87-42; 87-49;~~

~~Eff. October 1, 1988.~~

## **DATES AHEAD**

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### **2011 NC ELECTRICAL INSTITUTE**

The NC Electrical Institute will be held at the North Raleigh Hilton, Raleigh, NC, April 5-6, 2011. For detailed information, contact Ron Chilton, Telephone 919/661-5880 ext. 235.

### **2011 NCAEC ANNUAL CONVENTION & TRADESHOW**

The NC Association of Electrical Contractors will hold its Annual Convention & Tradeshow at the Myrtle Beach Hilton, Myrtle Beach, SC, June 16-19, 2011. For detailed information, contact the NCAEC office, Telephone 336/854-8354.

### **2011 CECA ANNUAL CONVENTION**

The Carolinas Electrical Contractors Association will hold its Annual Convention at the Marriott Grande Dunes, Myrtle Beach, SC, June 23-26, 2011. For detailed information, contact the CECA office, Telephone 704/365-4016.

## **2011 NATIONAL ELECTRICAL CODE**

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It is anticipated the North Carolina State Building Code Council will adopt the 2011 National Electrical Code as the State Electrical Code effective September 1, 2011. With this effective date, the Board's qualifying examinations will be based on the 2008 National Electrical Code until August 31, 2011. ***Effective September 1, 2011, the Board's examinations will be based on the 2011 National Electrical Code.***

The Board has purchased a supply of the 2011 National Electrical Code book (soft-bound cover) at a special prepublication price. The code books are available to examinees, licensees, inspectors and others who may wish to purchase copies at discounted prices.

The Board's 2011 National Electrical Code book price schedule is as follows:

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

**PRICES INCLUDE SALES TAX, SHIPPING & HANDLING**

This is a substantial discount off the NFPA list price of \$85.00 per copy + \$8.95 S&H charge for each "ship to" address. Books are ready for immediate delivery.

### **Ordering Information**

Go to [www.ncbeec.org](http://www.ncbeec.org) click on Book Store link and click on 2011 National Electrical Code

Order Form for the 2011 National Electrical Code is included in this Newsletter.

**ORDER FORM**  
**2011 NATIONAL ELECTRICAL CODE BOOKS**

THE 2011 NEC BOOKS (SOFT-COVER) ARE AVAILABLE FOR PURCHASE FROM THE BOARD'S OFFICE. PLEASE MAKE CHECK OR MONEY ORDER PAYABLE TO: STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS. **MAIL TO:** P. O. BOX 18727, RALEIGH, NC 27619-8727. THE BOARD'S DISCOUNT PRICE SCHEDULE IS AS FOLLOWS:

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10 OR MORE	\$64.00
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**NAME:** \_\_\_\_\_  
**ADDRESS:** \_\_\_\_\_  
**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

RESIDENTIAL ADDRESS     COMMERCIAL ADDRESS

**METHOD OF PAYMENT:**     CHECK     MONEY ORDER     VISA     MASTERCARD

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

PLEASE USE THIS FORM TO PURCHASE YOUR NASCLA CONTRACTORS GUIDE TO BUSINESS, LAW AND PROJECT MANAGEMENT-NORTH CAROLINA ELECTRICAL CONTRACTORS' EDITION. THE COST IS **\$45.00** PER COPY. PLEASE MAKE CHECK OR MONEY ORDER PAYABLE TO: STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS. **MAIL TO:** P. O. BOX 18727, RALEIGH, NC 27619-8727.

**QUANTITY** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY:** \_\_\_\_\_ **STATE:** \_\_\_\_\_ **ZIP:** \_\_\_\_\_

**METHOD OF PAYMENT:**     CHECK     MONEY ORDER     VISA     MASTERCARD

Card # \_\_\_\_\_ Exp. Date \_\_\_\_\_

Name on Card \_\_\_\_\_ Signature \_\_\_\_\_

## KNOW YOUR FIELD REPRESENTATIVE / INVESTIGATOR

The Board currently employs four Field Representative/Investigators for the State of North Carolina responsible for performing administrative and investigative work. You are invited to contact your area representative for any assistance or services that we may provide. **PLEASE NOTE SOME FIELD REPRESENTATIVES HAVE NEW CELL PHONE NUMBERS AND ALL FIELD REPRESENTATIVES HAVE A NEW FAX NUMBER**

### **NORTHEASTERN REGION**

#### **Jesse H. Skinner**

Telephone: 252-243-5397  
 Fax: 800-691-8399  
 Email: skinner22@ncbeec.org

### **SOUTHEASTERN REGION**

#### **Roy Wilson**

Telephone: 910-385-8556  
 Fax: 800-691-8399  
 Email: rwilson@ncbeec.org

### **PIEDMONT REGION**

#### **Curtis Max Thompson**

Telephone: 919-208-0400  
 Fax: 800-691-8399  
 Email: maxt@ncbeec.org

### **WESTERN REGION**

#### **Robert H. Lawson**

Telephone: 828-406-1143  
 Fax: 800-691-8399  
 Email: gusl@ncbeec.org

### **COUNTY ASSIGNMENT**

BEAUFORT  
 BERTIE  
 BRUNSWICK  
 CAMDEN  
 CARTERET  
 CHOWAN  
 CRAVEN  
 CURRITUCK  
 DARE  
 DUPLIN  
 EDGECOMBE  
 FRANKLIN  
 GATES  
 GREENE  
 HALIFAX  
 HERTFORD  
 HYDE  
 MARTIN  
 NASH  
 NORTHAMPTON  
 PAMLICO  
 PASQUOTANK  
 PERQUIMANS  
 PITT  
 TYRRELL  
 WAKE  
 WASHINGTON  
 WILSON

### **COUNTY ASSIGNMENT**

ANSON  
 BLADEN  
 BRUNSWICK  
 COLUMBUS  
 CUMBERLAND  
 DUPLIN  
 HARNETT  
 HOKE  
 JOHNSTON  
 JONES  
 LEE  
 LENOIR  
 MOORE  
 NEW HANOVER  
 ONSLOW  
 PENDER  
 RICHMOND  
 ROBESON  
 SAMPSON  
 SCOTLAND  
 WAYNE

### **COUNTY ASSIGNMENT**

ALAMANCE  
 CABARRUS  
 CASWELL  
 CHATHAM  
 DAVIE  
 DAVIDSON  
 DURHAM  
 FORSYTH  
 GRANVILLE  
 GUILFORD  
 MECKLENBURG  
 MONTGOMERY  
 ORANGE  
 PERSON  
 RANDOLPH  
 ROWAN  
 STANLY  
 STOKES  
 UNION  
 WARREN

### **COUNTY ASSIGNMENT**

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

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

### COURT CASES

**CASE FILE NUMBER:** 2008-211, 2008-256, 2008-295 & 2008-313

**NON-LICENSEE:** Christopher Paul Beard

**ADDRESS:** 4127 Edgedale Drive  
Fayetteville, NC 28304

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

**COURT ACTION:** Civil action instituted in Cumberland County Superior Court resulting in the entry of a Court Order on July 9, 2010 whereby Christopher Paul Beard, Individually and First Call Contracting are permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

**EFFECTIVE DATE:** July 9, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2009-22

**NON-LICENSEE:** Michael Jason Rice

**ADDRESS:** 4758 Country Home Rd.  
Conover, NC 28613

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

**COURT ACTION:** Civil action instituted in Catawba County Superior Court resulting in the entry of a Court Order on July 26, 2010 whereby Michael Jason Rice, Individually and d/b/a Michael Rice Contracting are permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

**EFFECTIVE DATE:** July 26, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2009-64

**NON-LICENSEE:** Kenneth Gordon d/b/a The Motor Shop

**ADDRESS:** 5001 S. York Rd.  
Gastonia, NC 28052

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

**COURT ACTION:** Civil action instituted in Gaston County Superior Court resulting in the entry of a Court Order on August 20, 2010 whereby Kenneth Gordon individually and d/b/a The Motor Shop 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 30, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2009-275

**NON-LICENSEE:** Joseph Barker Shaw Jr.

**ADDRESS:** 1130 Windy Hill Rd.  
Westfield, NC 27053

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

**COURT ACTION:** Civil action instituted in Surry County Superior Court resulting in the entry of a Court Order on July 30, 2010 whereby Joseph Barker Shaw Jr. 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 30, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2010-42

**NON-LICENSEE:** William Craig Tatum

**ADDRESS:** 804 Johnson St.  
Gibsonville, NC 27249

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

**COURT ACTION:** Civil action instituted in Guilford County Superior Court resulting in the entry of a Court Order on June 28, 2010 whereby William Craig Tatum, Individually and d/b/a CT Heating & Air are permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

**EFFECTIVE DATE:** June 28, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2010-56

**NON-LICENSEE:** David Wayne Faircloth

**ADDRESS:** 809 Mary Lane  
Whiteville, NC 28472

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

**COURT ACTION:** Civil action instituted in Columbus County Superior Court resulting in the entry of a Court Order on July 23, 2010 whereby David Faircloth, Individually and d/b/a David Faircloth Builders are permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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 23, 2010

### NOTICE OF VIOLATIONS

**CASE FILE NUMBER:** 2010-10

**LICENSEE:** Ingram's Electrical Co.

**ADDRESS:** P.O. Box 16016  
Durham, NC 27704

**LISTED QUALIFIED INDIVIDUAL:** Cecil Dexter  
Ingram

**LICENSE NUMBER:** 23691-L

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

- (1) Failed to complete an electrical project at 410 Bingham St. Durham, NC. Some wiring did not work properly upon completion of the job;
- (2) failed to supervise employee properly, and
- (3) failed to properly pay the part-time employee using a W-2 and W-4 forms and take out the proper taxes.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and one (1) year probation with condition of commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

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

**EFFECTIVE DATE:** September 23, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2010-25

**LICENSEE:** Antonio's Electric Service

**ADDRESS:** 3941 NC Hwy 42  
Raleigh, NC 27604

**LISTED QUALIFIED INDIVIDUAL:** Antonio Leslie  
Mitchell

**LICENSE NUMBER:** 17889-U

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

- (1) Engaging in false or misleading advertising by operating an electrical contracting business (Eagle Electric Contracting) in a name other than that issued by the Board (Antonio's Electric Service); and
- (2) engaging in unethical conduct in the practice of electrical contracting.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and one (1) year probation, with the right not 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 promulgated by 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;
- (5) complete the Contractor Business Class (Umpire Technologies Group, Inc.), approved by the State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade.

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

**EFFECTIVE DATE:** September 23, 2010

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**CASE FILE NUMBER:** 2010-41

**LICENSEE:** Jim's Electrical Services

**ADDRESS:** 1782 Stedman Cedar Creek Road  
Stedman, NC 28391

**LISTED QUALIFIED INDIVIDUAL:** James  
Carpenter

**LICENSE NUMBER:** 20506-SP-SFD

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

- (1) Engaged in false or misleading advertising by operating an electrical contracting business (Jim's Electrical and Fire Services) in a name other than that issued by the Board (Jim's Electrical Services);
- (2) engaging and offered to engage in electrical contracting while license was expired; and
- (3) engaging in unethical conduct in the practice of electrical contracting.

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

- (1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by 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) Complete an approved Contractor Business Course by Contractor Education Service LLC/Umpire

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Technologies Group Inc. and present evidence to the Board of a passing grade.

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

**EFFECTIVE DATE:** September 23, 2010

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**CASE FILE NUMBER:** 2010-78

**LICENSEE:** Donald Phillips Electrical Contractor

**ADDRESS:** 5936 Church Street  
Greensboro, NC 27455

**LISTED QUALIFIED INDIVIDUAL:** Donald Lee Phillips

**LICENSE NUMBER:** 15690-L

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

(1) Failed to complete work at 1905 MLK Dr. Greensboro, NC and get a final electrical inspection done within a timely manner; and

(2) failed to have all company documents and advertisements in the exact company name, as the license issued from the Board.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and two (2) year probation. The specific conditions of probation are as follows:

(1) have written contracts and job files for each job that is contracted;

(2) have a copy of the permits for each job, in the file;

(3) have a copy of the final inspection report, in the file;

(4) have all documents and advertisements in the exact company name as it is licensed, within thirty (30) days of the signing of this document; and

(5) commit no further violation of the General Statutes or the Rules of the Board.

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

**EFFECTIVE DATE:** September 23, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2010-105

**LICENSEE:** Derrick Brooks Electric Inc.

**ADDRESS:** P. O. Box 1539  
Marion, NC 28752

**LISTED QUALIFIED INDIVIDUAL:** Carl Derrick Brooks

**LICENSE NUMBER:** 2034-U

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

Allowed non-licensee, Jimmy Allison, to engage in the business of electrical contracting by using the license of Carl Derrick Brooks and Derrick Brooks Electric, Inc.

**BOARD ACTION:** The Board, acting through its staff, proposed suspension of license and qualifications or six

(6) months beginning August 20, 2010. Upon reinstatement license and qualifications must be on two (2) year probation.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-133

**LICENSEE:** Electrical Services & Solutions Inc.

**ADDRESS:** P. O. Box 543  
Nashville, NC 27856

**LISTED QUALIFIED INDIVIDUAL:** Jerry Alton Adams Jr.

**LICENSE NUMBER:** 10058-L

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

Exceeded the scope of a limited electrical contractors license by submitting a \$68,500.00 bid to the Town of Enfield, NC for a generator and associated line and load electrical wiring necessary for operation.

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

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

**EFFECTIVE DATE:** September 23, 2010

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**CASE FILE NUMBER:** 2010-151

**LICENSEE:** Farpoint Electric Inc.

**ADDRESS:** 10811 Pineville Road  
Pineville, NC 28134

**LISTED QUALIFIED INDIVIDUAL:** Kerry Shawn Foster

**LICENSE NUMBER:** 24827-L

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

(1) Aiding and abetting an unlicensed person or firm, Jonathan Brent Donaldson (DCS, Inc.) by obtaining a permit to wire underground and signs at the Walmart project at 4545 Fayetteville Road, Raeford;

(2) Engaged in unethical conduct, fraud and deceit in the practice of electrical contracting.

**BOARD ACTION:** The Board, acting through its staff, proposed suspension of license and qualifications for six (6) months followed by two (2) year probation, with one (1) year suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

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

(2) Obtain written and signed contracts for all electrical

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

projects over one hundred dollars (\$100.00) in value;  
(3) Maintain an organized list of all electrical contracts;  
(4) Properly supervise and direct all employees and projects; and  
(5) Complete the Contractor Business Class, Umpire Technologies Group, Inc., approved by the State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade within one year.

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

**EFFECTIVE DATE:** September 23, 2010

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**CASE FILE NUMBER:** 2010-157

**LICENSEE:** Fletcher Electric

**ADDRESS:** 288 Venable Farm Rd.  
Mt. Airy, NC 27030

**LISTED QUALIFIED INDIVIDUAL:** Jack Samuel Fletcher

**LICENSE NUMBER:** 10898-I

**VIOLATION(S):** Violated General Statute 87-47 (a1) (7) and GS 153A -357 (a) (4) in that the firm:

Failed to obtain required electrical permit for electrical wiring for HVAC equipment at a church located at 4245 Shoals Road, Pinnacle NC.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and one (1) year probation, with six (6) month suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions: Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-164

**LICENSEE:** Larry W. Winstead

**ADDRESS:** 1133 Heritage Drive  
Wendell, NC 27591

**LISTED QUALIFIED INDIVIDUAL:** Larry Wayne Winstead

**LICENSE NUMBER:** 5576-L

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

Allowed David Wayne Perry (Non-Licensee) to use Electrical Contractor license #5576-L to acquire a City of Raleigh electrical permit and install electrical wiring for a sign located 1550 New Hope Road, Raleigh, NC.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of one thousand dollars (\$1,000.00) 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 condition: Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-167

**LICENSEE:** James Craig Pierce

**ADDRESS:** 2291 Garrett Road Lot 32  
Williamston, NC 27892

**LISTED QUALIFIED INDIVIDUAL:** James Craig Pierce

**LICENSE NUMBER:** 17274-L

**VIOLATION(S):** Violated General Statute 87-47 (a1) (3) in that the firm: Assisted an unlicensed person,

Talmage Dunning, owner of the Shamrock Restaurant, with technical and hands on support for the electrical wiring installations related to the mechanical equipment involved and wiring for air conditioning units at 101 West Boulevard, Williamston, NC. Wiring installations were performed with multiple code violations and no electrical permits and inspections.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and two (2) year probation, with one (1) year suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

- (1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board; and
- (2) James Craig Pierce must attend and pass a Standard Level I Electrical Course and show evidence of the passing grade by July 31, 2011.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-168

**LICENSEE:** Davis Dunlap Electric

**ADDRESS:** 208 Amber Lane  
Willow Spring, NC 27592

**LISTED QUALIFIED INDIVIDUAL:** Davis Hughes Dunlap

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

**LICENSE NUMBER:** 27056-L

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

Engaged in an electrical project at 8405 Camellia Drive, Raleigh, NC where the firm removed an electrically energized Progress Energy Power Company watt hour meter from meter base, removed energized service drop conductors from an electrical service riser conduit, laid the energized service drop conductors on the ground and departed the location in an unsafe condition.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five Hundred dollars (\$500.00) and one (1) year probation, with one (1) year suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions: Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-171

**LICENSEE:** Brian Lowe Electrical Service

**ADDRESS:** P. O. Box 1592  
Bryson City, NC 28713

**LISTED QUALIFIED INDIVIDUAL:** Phillip Brian Lowe

**LICENSE NUMBER:** 26006-L

**VIOLATION(S):** Violation of General Statute 87-47 (a1) (7) and Rule .0303 (4) (a) in that the licensee:

(a) exceeded the scope of the firms Limited license (\$40,000.00) by submitting a bid of \$29,000.00 for labor for the Swain County High School Lighting Renovation Project. In determining the value of this electrical project, \$43,000.00 for materials furnished by the Swain County School Board must be included in the Project Value.

**BOARD ACTION:** Board's staff proposed the imposition of a reprimand on the license record of the licensee.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-172

**LICENSEE:** Seagroves Electrical Service Inc.

**ADDRESS:** 8517 Apple Cross Circle  
Apex, NC 27502

**LISTED QUALIFIED INDIVIDUAL:** Thurman Glenn Seagroves

**LICENSE NUMBER:** 11000-U

**VIOLATION(S):** Violated General Statute 87-47 (a1) (6), 160A-417 and Rule .0402 (b), .0907 (c) and .0908 (c) in that the firm:

(1) Failed to acquire a required electrical permit from the Town of Garner to engage in electrical contracting work located at 832 Seastone Street, Raleigh, NC; and

(2) failed to operate in the exact name in which electrical contracting license was issued by the Board.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and six (6) month probation, with three (3) month suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions: Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

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

**EFFECTIVE DATE:** December 9, 2010

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**CASE FILE NUMBER:** 2010-185

**LICENSEE:** Brite Horizon Electrical Service

**ADDRESS:** 2404 Bradford St.  
Moorehead City, NC 28557

**LISTED QUALIFIED INDIVIDUAL:** Kevin Christopher Vann

**LICENSE NUMBER:** 26675-L

**VIOLATION(S):** Violated General Statute 87-47 (a1) (2), (3) and (5) in that the firm:

Allowed Allen G. Bailey and James Phillips, Non-Licensees, to engage in electrical contracting work on an electrical project for a Boat Lift located at 110 Ann Street, Beaufort, NC.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of one thousand dollars (\$1,000.00) and two (2) year probation, with one (1) year suspension of license and the right to serve as a listed qualified individuals on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Have written contracts or proposals signed by licensee and customer for all projects over \$100.00 for which licensee is responsible;

(2) obtain permits as required for each contract prior to commencement of work. Retain a copy of the permit in the job file for each installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

- (3) maintain job files or other written records of contracts made and installations performed;
- (4) utilize no personnel on any job except persons receiving W-4 and W-2 employee tax forms; and
- (5) subcontract no electrical projects to other electrical contractors;
- (6) take steps to assure that a person holding a qualifications from the Board visits every job prior to every inspection request;
- (7) maintain records detailing and documenting Kevin Christopher Van is in compliance with the provisions of the probation order. Records shall be available for inspection at any time during normal business hours upon request of the Staff of the Board.

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

**EFFECTIVE DATE:** December 9, 2010  
\*\*\*\*\*

**CASE FILE NUMBER:** 2010-187  
**LICENSEE:** Sink Plumbing & Electrical Company Inc.  
**ADDRESS:** 2814 South Main St.  
Winston-Salem, NC 27127

**LISTED QUALIFIED INDIVIDUAL:** Jack L. Sink  
**LICENSE NUMBER:** 03454-I  
**VIOLATION(S):** Violation of General Statute 87-47 (a1) (7) and 160A-417 (4) in that the licensee:

- (a) continued to operate the business with an expired electrical license for (3) months; and
- (b) failed to acquire an electrical permit for a job located at 306 Horace Mann Ave, Winston Salem, NC.

**BOARD ACTION:** Board’s staff proposed the imposition of a reprimand on the license record of the licensee.

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

**EFFECTIVE DATE:** December 9, 2010  
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**CASE FILE NUMBER:** 2010-203  
**LICENSEE:** B. Pleasant Electric  
**ADDRESS:** 1016 Maxwell Drive  
Raleigh, NC 27603

**LISTED QUALIFIED INDIVIDUAL:** Bobby Earl Pleasant  
**LICENSE NUMBER:** 25085-L  
**VIOLATION(S):** Violated General Statute 87-47 (a1) (1) and (5) in that the firm:

- (1) Engaged in electrical contracting with an expired license;
- (2) Failed to notify the Board in writing within 30 days of change in location or mailing address; and
- (3) engaging in misrepresentation in the practice of

electrical contracting.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred dollar (\$500.00) and one (1) 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 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; and
- (4) Properly supervise and direct all employees and projects.

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

**EFFECTIVE DATE:** December 9, 2010  
\*\*\*\*\*

**CASE FILE NUMBER:** 2010-209  
**LICENSEE:** Pride Electrical Contracting Inc.  
**ADDRESS:** 117 Turners Dairy Rd.  
Morehead City, NC 28557

**LISTED QUALIFIED INDIVIDUAL:** Ramon Flores  
**LICENSE NUMBER:** 25492-U

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

- (1) Engaging in electrical contracting work on residence and detached garage located 4100 Sound Drive, Morehead City, NC, 28557 and failed to obtain a final electrical inspection; and
- (2) Temporary approval for connection of electrical power to installed electrical service equipment was approved. A request for a Final Electrical Inspection and Certificate of Completion was not requested for a period of one year and ten days.

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

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

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

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

**EFFECTIVE DATE:** December 9, 2010

**ORDERS**

**CASE FILE NUMBER:** 2007-318

**LICENSEE:** Michael Gordon Bolton

**ADDRESS:** 1500 Dellwood Drive  
Raleigh, NC 27607

**LISTED QUALIFIED INDIVIDUAL:** Michael Gordon Bolton

**LICENSE NUMBER:** 14944-L

**VIOLATION(S):** 1. Respondent holds license #14944-L, issued as Michael Gordon Bolton.

2. On or about November 16, 2007, Respondent allowed Hyde Mechanical to acquire a permit in the name of Bolton Corporation using Respondent’s license for contracting work on property located at 3116 Stone Gap Court in Raleigh, North Carolina. The work consisted of electrical wiring associated with replacement of an HVAC system, commonly called a changeout. Respondent did not hold a contract with the property owner and did not perform the work directly or through bona fide employees.

3. Respondent testified that he intended to perform the electrical work despite the fact that he no longer operates an active business and has no service trucks.

4. Upon finding that Hyde performed the work, Respondent did not cancel the permit and had no communication with the inspection department at that point.

5. In leaving the permit in force, the Respondent accommodated Hyde Mechanical in carrying out electrical work.

6. Paul Bertram Hyde and Hyde Mechanical does not hold license from this Board, despite the fact the Board issues a specialty electrical license to heating contractors who perform changeouts.

**BOARD ACTION:** Based upon the foregoing Findings of Fact, the Board entered an ORDER, effective January 28, 2009:

1. That a reprimand be entered on the license record of Respondent for failure to cancel the permit.

**EFFECTIVE DATE:** On appeal to Superior Court, the action of the board was upheld by Order filed July 7, 2010.

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**CASE FILE NUMBER:** 2008-274

**LICENSEE:** A-Plus Heating Cooling & Electric Co

**ADDRESS:** 4705 Blakeshire Road  
Greensboro, NC 27406

**LISTED QUALIFIED INDIVIDUAL:** Michael Keith Nichols

**LICENSE NUMBER:** 22802-L

**VIOLATION(S):** (1) Violation of North Carolina General Statute 87-47 (a1) (4) and the Rules of the Board in that firm;

1. Respondent submitted application to reactivate license on August 16, 2010.

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

3. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal convictions including possession of a firearm by a convicted felon, assault with a deadly weapon, assault on a female, communicating threats, escape from state prison. Michael Keith Nichols is now on supervised federal judgment probation for three years and expires on March 3, 2013.

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

1. The application to reactivate license of Respondent, Michael Keith Nichols, must satisfy all court ordered supervised and unsupervised probation. The license is denied and qualification is suspended until March 3, 2013.

2. The license of Respondent may be reactivated upon presentation of evidence to the Board that Respondent has no additional criminal convictions other than traffic matters.

3. Upon renewal, Respondent’s qualification is to be on probation for two (2) years with the following conditions:

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

(b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;

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

(d) 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;

(e) have no additional criminal convictions other than traffic matters; and

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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

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

There was no objection from Mr. Nichols and the Recommended Order was approved by the Board as a Final Decision December 9, 2010.

**EFFECTIVE DATE:** December 9, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2009-16, 2009-68, 2009-301

**LICENSEE:** Quinco Electrical Inc. and Quinco Electrical of North Carolina Inc

**ADDRESS:** 4254 Metric Drive  
Winter Park, Florida 32792  
and  
4805 Green Road, Suite 100  
Raleigh, NC 27616

**LISTED QUALIFIED INDIVIDUAL:** John W. Carlisle, Richard Herbert Spencer and Bernd B. Schulze

**LICENSE NUMBER:** 25413-U

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

1. Quinco Electrical Inc. has business locations as follows:

- (a) 4224 Metric Drive, Winter Park, Florida 32792;
- (b) 7575 Owl Creek Drive, Douglasville, Georgia 30134; and
- (c) 4805 Green Road, Raleigh, North Carolina 27616.

2. David W. Deese is president of Quinco Electrical of North Carolina, Inc., but is not a qualifier in North Carolina.

3. John Massetti, Vice President of North Carolina Operations, Quinco Electrical of North Carolina, Inc. does not hold license or status as a qualified person.

4. John W. Carlisle and Bernd B. Shulze are listed as Florida qualifiers at the 4224 Metric Drive, Winter Park, Florida business location.

5. The North Carolina qualification of John W. Carlisle, Bernd B. Shulze, and Richard H. Spencer are listed at 4805 Green Road, Raleigh, North Carolina 27616.

6. John W. Carlisle and Bernd B. Shulze are regularly on active duty in the 4224 Metric Drive, Winter Park, Florida location and reside in Florida.

7. Richard H. Spencer is employed in the capacity of resident project manager on the Durham Human Services Complex project located at 500 Main Street, Durham, North Carolina. He is not regularly on active duty at 4805 Green Road, Raleigh, North Carolina or the other North Carolina projects.

8. The Board staff contends that John W. Carlisle is on duty primarily in Texas and Bernd B. Shulze is on duty primarily in Florida.

9. The Board staff contends that inasmuch as the qualifications of Carlisle, Shulze and Spencer are listed at the Raleigh office, there is no qualified person listed on the record of the Board as responsible for the Florida office. The Board staff contends that inasmuch as Carlisle and Shulze are physically elsewhere, they are not able to supervise in North Carolina.

10. The Board staff contends that in the event of a hearing it would produce evidence that the Florida office has offered to engage in business as an electric contractor in North Carolina by contracting the following projects:

- (a) Greene County Government Complex Jail addition, Snow Hill, N.C.
- (b) Reich College of Education, Appalachian State University, Boone, N.C.
- (c) NC Correctional Institution for Women, Raleigh, N.C.
- (d) Health care Facilities Project, Durham Co. Human Services Complex, Durham, N.C.
- (e) Cone Hall Renovation, Appalachian State University, Boone, N.C.

11. All estimating and contract negotiations by Quinco Electrical Inc. are conducted from its Winter Park, Florida location.

12. Subsequent to the foregoing events, primarily in 2009, Respondents have added additional qualified persons and taken other steps to comply with North Carolina law as they understand it.

13. The Respondents deny any wrongdoing, contend that their contracting activities fully comply with the law and that multiple qualifiers have been regularly available and active in providing supervision of all projects in North Carolina at all times.

14. Only for purposes of this Consent Order, the Respondents acknowledge there is adequate evidence, if believed, to establish violations of Article 4 Chapter 87 of the General Statutes and a basis for discipline by the Board.

**BOARD ACTION:** Based upon the foregoing Findings of Fact at a hearing on July 29, 2010, the Board adopted the following CONSENT ORDER:

1. Within twenty (20) days of this Order, Quinco Electrical of North Carolina, Inc. (Respondent) shall submit to the Board documents adequate to establish that all business locations of Quinco presently contracting, bidding or performing electrical work in North Carolina are in full compliance with the North Carolina General

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Statutes and Board Rules as follows:

(a) North Carolina Electrical Contracting license be issued to Quinco Electrical Inc. located at 4224 Metric Drive, Winter Park, Florida, with John W. Carlisle and Bernd B. Shulze, listed qualified individuals, or other compliance arrangement.

(b) North Carolina electrical contracting license be issued to Quinco Electrical of North Carolina, Inc. located at 4805 Green Road, Raleigh, North Carolina, with Richard H. Spencer, listed qualified individual or another qualified person who is regularly on active duty at that location so as to provide supervision of all North Carolina projects.

(c) In the event Quinco Electrical of North Carolina Inc. wishes to submit bids or execute contracts from a Florida location, it shall list a qualifier at the Florida location who is regularly on active duty there.

2. That a reprimand be entered on the license record of each of the Respondents.

3. That the Board impose a civil penalty of \$1,000.00 upon each licensee and not on each qualified person.

**EFFECTIVE DATE:** August 29, 2010

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**CASE FILE NUMBER:** 2009-257

**LICENSEE:** Certified Electrical Services of Fayetteville

**ADDRESS:** 525 Crowe Road  
Murphy, NC 28905

**LISTED QUALIFIED INDIVIDUAL:** Joseph Rowan Bruce

**LICENSE NUMBER:** 24477-L

**VIOLATION(S):** Violated General Statute 87-47 (a1) (5), and (7):

1. Respondent is a qualified person and holds license number 24477-L, issued in the name Certified Electrical Services of Fayetteville.

2. On February 20, 2003, Respondent was sanctioned for failure to operate business in the individual name of Joseph Rowan Bruce as licensed by the Board and peddling license to an unlicensed individual.

3. Respondent was disciplined February 23, 2006, for operating a business while a qualified individual was not regularly on active duty.

4. On September 24, 2008, an Order was issued for failure to timely disclose a criminal conviction on license renewal application.

5. An Order was issued by the Board on December 10, 2008, finding the Respondent failed to obtain a permit and operated a business in a name other than the name on the license. The license of Respondent was placed on probation for 60 months with provisions that

Respondent:

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

6. Respondent entered into a verbal subcontract with Wolverine General Contractors to install an electrical system for a building to be occupied by Sampson Regional Medical Center for use as a cardiac rehabilitation facility and which facility was located at 417 Vance St., Clinton, N.C. In the course of the project, Respondent:

(a) failed to obtain an electrical permit in violation of the terms of his probation of North Carolina State Building Code;

(b) failed to obtain a written contract in violation of the terms of his probation;

(c) failed to install a redundant ground in a health care facility;

(d) failed to install approved health care facility devices as required by Article 517 of the National Electrical Code;

(e) failed to install the required insulated conductors in examination rooms and in cardiac rooms; and

(f) failed to comply with the December 10, 2008, Order of the Board.

**BOARD ACTION:** Based upon the foregoing Findings of Fact, and after a hearing on July 29, 2010, the Board ORDERED:

1. That the license of Respondent firm and the status of Respondent as a limited contractor shall be suspended for a period of three (3) years.

2. That prior to reinstatement of his license Respondent shall:

(a) personally appear before the Board and present evidence to the Board that during the suspension, he has taken and passed a 40 hour standard Level 1 Electrical Code course from DOI and the Contractor Disciplinary Business course approved by the Board.

3. Following the completion of the three (3) year suspension and reinstatement of the license of Respondent, the license of Respondent shall be placed on probation for a period of five (5) years, during which time Respondent shall comply with the following terms and conditions:

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

- (a) Respondent shall obtain permits as required for each contract prior to commencement of work;
  - (b) Respondent shall have written contracts signed by the licensee and customer for each installation for which the licensee is responsible;
  - (c) Respondent shall maintain a job file for each job, containing the records of that project, including a copy of the contract and permit;
  - (d) Respondent shall submit quarterly reports documenting his compliance with the provisions of this probation order by either sending them directly to the Board's office or notifying the Board's Field Representative in writing that the documents are ready for his review; and,
  - (e) Respondent shall commit no further violation of Article 4, Chapter 87 or the Rules of the Board with regard to any qualification administered by the Board.
5. During the period of probation, the foregoing records and contracting activities of the Respondent shall be monitored by the staff of the Board.
6. That in the event of any violation of the terms of this probation order, this Order may be entered into evidence together with evidence of any such violation and license will be revoked.

**EFFECTIVE DATE:** September 25, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2010-37

**LICENSEE:** Lewis Services

**ADDRESS:** 929 Falls Church  
Charlotte, NC 28270

**LISTED QUALIFIED INDIVIDUAL:** Charles Ray  
Lewis

**LICENSE NUMBER:** 17364-L

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

1. An Order was issued on June 18, 2003, sanctioning the Respondent for aiding and abetting a non-licensee and engaging in malpractice as an electrical contractor. Respondent voluntarily surrendered his license and qualifications for one (1) year. License was reactivated on December 2, 2004.
2. Another Order was issued on June 17, 2008, placing a reprimand on the license record of Respondent, ordering a \$500.00 civil penalty and placing the license of Respondent on probation for one (1) year, with suspension in the event of violation.
3. On November 16, 2009, Respondent was issued a verbal warning for failure to properly supervise contracting or work being done by the company, Lewis Services.

4. Charles Lewis has lived and engaged in business as an electrical contractor in Hope Mills and Raeford during his entire career. He has lived in Raeford approximately the last seven years. The location of the Respondent, Lewis Services, as a business enterprise in Charlotte occurred approximately seven years ago and Charles Lewis has not lived in close proximity to the Charlotte operation.

5. The evidence indicates that the day-to-day operation of the Lewis firm was carried out by Dean Lewis, an unlicensed person holding no qualification from this Board.

6. The firm with which Respondent placed his qualifications, Lewis Services, contracted with Superior Self Storage, LLC, to install electrical work at 542 Main Ave. SE, Hickory, N.C., in June 2009. The project involved conversion of a building which formerly housed a printing company for use as a heated and cooled self-storage facility. The electrical plans had been prepared and sealed by an engineering firm and approved by the City prior to commencement of work.

7. The job was initially contracted for \$30,060.00. The sum of \$15,403.89 was paid by the owner by check payable to Dean Lewis at the time the contract was formed. The agreement prepared by Respondents did not specify the payment of additional money after the initial payment and prior to completion.

8. Respondents represented the initial payment would be used to purchase the equipment for the job, but the major equipment was not placed on the job nor delivered to the owner.

9. The Qualified Person, the elder Mr. Lewis, did not attend the preconstruction meeting with the owner and general contractor.

10. The Qualified Person, the elder Mr. Lewis, made three visits to the site, one of those being before any bid was submitted on the project and one being shortly before the rough-in inspection. No visit to the site was made at the point where concerns regarding demands for additional money were raised. Mr. Charles Lewis never met the owner prior to this hearing.

11. The young grandson of Charles Lewis was left in principal charge of the project in Hickory and expressed to the general contractor on the project his frustration regarding lack of leadership.

12. Dean Lewis, the person upon whom the qualified person relied for supervision of the job, did not possess a driver's license and travelled to the jobsite from Charlotte by getting a friend to take him there. This necessarily handicapped him from an effective role as a

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

job superintendent.

13. Prior to the complaint in this project, Dean Lewis had never attempted to pass the examination so as to become a Qualified Person within the meaning of the statutes.

14. Work by the Respondents was sporadic from the beginning until their work ended. Due to delay in the project and a dispute over Respondents demands for additional funds, the Respondents were replaced on the job before completion.

15. The Respondents departed from the engineered plans approved by the City in carrying out wiring for the project; this wiring had to be removed and done again at additional cost to the property owner.

16. The Respondents cut the wiring to the office section of the project, which was unnecessary to carry out the plans, inasmuch as the plans involved a retrofit of the warehouse space of a former printing company to convert it to the self-storage facility. This error also added cost to the Owner.

17. Approximately \$10,000.00 of additional funds were required to pay the labor necessary to complete the electrical project.

18. Invoices for labor only by the replacement electrical contractor were presented and included in the exhibits, but all material and equipment was over and above those invoices indicating the project cost was well in excess of \$40,000.00 when the initial contract with the Respondents was approximately \$30,000.00.

19. Inadequate staffing, delay, and lack of supervision resulted in harm to the property owner.

20. The Respondents represented that the firm merged with another firm as of the end of August, 2009 and all persons other than Charles Lewis worked thereafter as employees of the new firm. However, the records of the Board do not reflect license in the name of the firm into which the Lewis firm purportedly merged.

21. Respondents presented evidence of substantial quantities of material purchased for use on the Hickory project which is the subject of this hearing. The evidence establishes that Respondents misrepresented numerous purchases at various Home Depot stores as being for materials in connection with the Hickory project. The receipts clearly indicate the material was, in fact, purchased for use at the Macaroni Grill, Ham's Restaurant, a Kannapolis project, a Providence job, or a Thayer job. In addition, the purchases were for receptacle plates, receptacles, roof flashing, bottled water, gutter and flashing, doorbells and chimes, pea traps and range cords, and do not appear to be material connected to the rough-in of a commercial self-storage

facility.

22. Subsequent to the foregoing, Respondent allowed the license to expire and is not actively engaged in electrical contracting at this time. Respondent testified to his hope and expectation his health would recover such that he could become active again.

23. The evidence creates a strong inference that Respondent has maintained an active license in order that his son could operate a business in Charlotte, N.C.

24. Because of age, illness and geography, Respondent was not regularly on active duty. Respondent Lewis did not provide effective and adequate supervision of the self-storage project. Respondent Charles Lewis relied upon Dean Lewis and assumed Dean Lewis was both knowledgeable and on-site.

25. Charles Lewis had been warned previously by this Board concerning the importance of effective supervision.

26. The evidence concerning the scope of the permit was not conclusive.

27. The contract written by Respondents did not support their demand for additional funds partway through the project, which precipitated their replacement on the job.

**BOARD ACTION:** Based upon the foregoing Findings of Fact, and after a hearing on September 21, 2010, the Board ORDERED:

1. That the license of Respondent firm, Lewis Services, and the status of Respondent, Charles Ray Lewis, as a qualifying individual be revoked.

2. This Order becomes effective thirty days from this date.

**EFFECTIVE DATE:** October 29, 2010

\*\*\*\*\*

**CASE FILE NUMBER:** 2010-74

**LICENSEE:** Lawson Electric of Durham

**ADDRESS:** P. O. Box 11763

Durham, NC 27703

**LISTED QUALIFIED INDIVIDUAL:** Raber Junius  
Lawson

**LICENSE NUMBER:** 12429-L

**VIOLATION(S):** Violated General Statute 87-47 (a1) (5) and (7):

1. Respondent is a "qualified person" and holds license number 12429-L issued to Lawson Electric of Durham.

2. On or about October 2009, Respondent entered into a subcontract with Riggs-Harrod Builders to install electrical systems in two 12 unit apartment buildings and one clubhouse building located at 501 Carver St., Durham, N.C., under contract with Evergreen Construction Co. for a total project value of \$70,850.00. In the course of the contract, Respondent:

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

- (a) entered into an electrical contract exceeding \$40,000.00, outside the scope of his limited license;
- (b) attempted to conceal his activities by arranging for Russell Vernon Mack to purchase the permits for the two apartment buildings, showing only the clubhouse in his own firm; and
- (c) engaged in malpractice and misconduct in the business of electrical contracting.

**BOARD ACTION:** Based upon the foregoing Findings of Fact, and after a hearing on July 29, 2010, the Board ORDERED:

That the license of the Respondent firm and the status of Respondent Raber Junius Lawson as a limited license contractor shall be suspended for a period of six (6) months.

**EFFECTIVE DATE:** September 25, 2010  
\*\*\*\*\*

**CASE FILE NUMBER:** 2010-75

**LICENSEE:** RVM Electric Co.

**ADDRESS:** 2823 St Mary's Road  
Hillsborough, NC 27278

**LISTED QUALIFIED INDIVIDUAL:**Russell Vernon Mack

**LICENSE NUMBER:** 06328-U

**VIOLATION(S):** Violated General Statute 87-47 (a1) (5) and (7):

1. Respondent is a "qualified person" and holds license number 6328-U issued to RVM Electric Company.
2. During the month of October 2009, Raber Junius Lawson and Lawson Electric of Durham contracted with Evergreen Construction Co. to install and installed an electrical system in two 12 Unit apartment buildings and one clubhouse at 501 E. Carver St., Durham, N.C. Lawson contracted all work in question. Lawson holds license number 12429-L issued to Lawson Electric of Durham. Respondent:

- (a) permitted the use of his license in connection with the acquisition of permits for performance of said contract even though Respondent was not a party to the contract;
- (b) aided and abetted a electrical contractor to contract an electrical project outside the scope of his limited license classification; and
- (c) engaged in malpractice and misconduct in the business of electrical contracting.

**BOARD ACTION:** Based upon the foregoing Findings of Fact, and after a hearing on July 29, 2010, the Board ORDERED: That the license of Respondent firm and the status of Respondent Russell Vernon Mack as an unlimited licensed contractor shall be suspended for a

period of one (1) year.

**EFFECTIVE DATE:** September 25, 2010  
\*\*\*\*\*

**CASE FILE NUMBER:** 2010-88

**LICENSEE:** Carmack Electrical Services

**ADDRESS:** 1672 Longridge Road  
Plymouth, NC 27962

**LISTED QUALIFIED INDIVIDUAL:**Michael Retone Carmack

**LICENSE NUMBER:** 18988-L

**VIOLATION(S):** (1) Violation of North Carolina General Statute 87-47 (a1) (7) and the Rules of the Board in that firm;

(a) Failed to acquire required electrical permits from County of Washington Inspections for electrical projects located at 83 US Highway 64 East, Plymouth, NC, 85 US Highway 64 East, Plymouth, NC, 87 US Highway 64 East, Plymouth, NC and 89 US Highway 64 East, Plymouth, NC before or after engaging in the electrical projects;

(b) installed a three phase four wire electrical sub service to a building located 83 US Highway 64 East, Plymouth, NC and did not include an equipment ground wire and did not encase three phase four wire electrical sub service conductors in conduit or other approved products in building wall or exposed outdoors in violation of the National Electrical Code Section 250.32 (B) and 300.3(A);

(c) abandoned projects leaving electrically energized exposed wiring in violation of the National Electrical Code Section 110.27; and

(d) allowed electrical license to expire March 14, 2010. Respondent was paid twenty five hundred dollars and abandoned electrical projects before completion.

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

1. That the Respondent's license to engage in business as an electrical contractor be placed on suspension for a period of two (2) year.
2. Prior to reinstatement of license and qualifications Respondent must pay restitution in the amount of twenty five hundred dollars (\$2500.00) as ordered by the Court.
3. Prior to reinstatement of license and qualifications Respondent must attend a forty hour Standard Level I Electrical Course and show evidence of a passing grade.
4. Prior to reinstatement appear before the Disciplinary Committee.
5. Upon reinstatement license of Respondent firm and the status of Respondent, Michael Retone Carmack as a qualifying individual, be placed on probation for a period of two (2) years.

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

6. During the period of probation, Respondent shall comply with the following conditions of probation:

- (a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
- (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
- (c) maintain job files or other written records of contracts made and installations performed;
- (d) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
- (e) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

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

There was no objection from Mr. Carmack and the Recommended Order was approved by the Board as a Final Decision September 23, 2010.

**EFFECTIVE DATE:** September 23, 2010  
\*\*\*\*\*

**CASE FILE NUMBER:** 2010-115

**LICENSEE:** Lumina Electric Company

**ADDRESS:** 907 S. Lumina Avenue  
Wrightsville Beach, NC 28480

**LISTED QUALIFIED INDIVIDUAL:** Paul Kershaw Taber

**LICENSE NUMBER:** 18515-L

**VIOLATION(S):** (1) Violation of North Carolina General Statute 87-47 (a1) (1), (5), (7) and the Rules of the Board in that firm;

- (a) Offered to engage in electrical contracting in excess of the scope of your Limited license of \$40,000 by placing a bid of \$49,750 for work on property owned by the Wilmington Housing Authority on or about May 10, 2010;
- (b) engaged in misrepresentation in the practice of electrical contracting; and
- (c) on or about September 27, 2010 failed to obtain an electrical permit from the New Hanover County Inspections prior to installing electrical wiring at 25 Market St., Wilmington, NC.

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

1. That the license of Lumina Electric Company and the qualification of Paul Kershaw Taber to engage in business as an electrical contractor be placed on probation for one (1) year.

2. Paul Kershaw Taber, Lumina Electric Company must pay a civil penalty of five hundred dollars (\$500.00) within thirty (20) days of the date of this Order.

3. During the period of probation, Paul Kershaw Taber and Lumina Electric Company shall comply with the following conditions of probation:

- (a) have written contracts or proposals signed by the licensee and customer for each installation for which licensee is responsible;
- (b) obtain permits as required for each contract prior to commencement of work, retain a copy of the permit in the job file for each particular installation and assure that a final inspection has been performed by the Local Code Enforcement Official for each installation;
- (c) maintain job files or other written records of contracts made and installations performed;
- (d) maintain records detailing and documenting his compliance with the provisions of this probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board;
- (f) commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

There was no objection from Mr. Taber and the Recommended Order was approved by the Board as a Final Decision December 9, 2010.

**EFFECTIVE DATE:** December 9, 2010  
\*\*\*\*\*

**CASE FILE NUMBER:** 2010-117

**LICENSEE:** Todd Johnson Electric

**ADDRESS:** 3519 Guess Road  
Durham, NC 27705

**LISTED QUALIFIED INDIVIDUAL:** Michael Todd Johnson

**LICENSE NUMBER:** 16957-L

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

- 1. Respondent submitted application to reactivate license on May 7, 2010.
- 2. The application was deferred pending review by the Committee as to criminal conduct.
- 3. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

convictions including probation violation, possession of stolen goods, larceny, shoplifting, breaking and entering, tress passing, obtained property under false pretense, resisting a public officer, and communicating threats.

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

1. The application to reactivate license of Respondent, Michael Todd Johnson, must satisfy all court ordered supervised and unsupervised probation. The license is denied and qualification is suspended until August 24, 2014.

2. The license of Respondent may be reactivated upon presentation of evidence to the Board that Respondent has no additional criminal convictions other than traffic matters.

3. Upon renewal, Respondent's qualification is to be on probation for two (2) years with the following

conditions:

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

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

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

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

There was no objection from Mr. Johnson and the Recommended Order was approved by the Board as a Final Decision September 23, 2010

**EFFECTIVE DATE:** September 23, 2010

## CONSENT AGREEMENTS

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

Name	City	County	License	File Number
Joseph F. Nehls	Apex	Wake	11194/02 LV	2010-108
Richard James Moore	Charlotte	Mecklenburg	10661-L	2007-2
Bryan Gregory King	Hickory	Catawba	17798-L	2010-192
Benjamin Wayne Kirkland	Bessemer City	Gaston	15435-L	2010-196
Tony Ray Smith	Raleigh	Wake	19381-U	2010-161

## LICENSEE – PERMIT WARNING AFFIDAVITS & VERBAL WARNINGS

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

Licensee	Qualified Individual	County	File Number
RJR Electric and Heating & Air	Robbin Joel Roberts	Surry	2010-114
Richard Ray Lawrence	Richard Ray Lawrence	Wake	2010-66

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Arnold Jones Oil & Heating Co. Inc.	Arnold Lee Jones	Guilford	2010-138
Williams Electrical	Raymond Randy Williams	Forsyth	2010-129
Terry English Electric	Terry Joe English	Columbus	2010-118
J. S. Mintz Plumbing Service Inc.	Michael Marvin Poole	New Hanover	2010-121
Shivar & Son Electric	Randy Carl Shivar	Craven	2010-29
Johns Plumbing Htg and Air Cond Inc.	John Edward Naylor	Guilford	2010-174
Wintec Electric LLC	Richard Winn Varnum	Orange	2010-182
Tyson Sign Company, Inc.	David Leon Roberts	Brunswick	2010-215

## NON-LICENSEE – WARNING AFFIDAVITS and VERBAL WARNINGS

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

<b>Name</b>	<b>City</b>	<b>County</b>	<b>File Number</b>
Charles Richard Gladden	Lincolnton	Lincoln	2010-72
Jabriel Abdur-Raheem	Charlotte	Mecklenburg	2010-54
Eric Sokolowski	Cornelius	Mecklenburg	2010-40
Roger Grant Tilley	Westfield	Stokes	2010-113
Gary Edwin Lewis	Charlotte	Mecklenburg	2010-132
Brady Parker	Charlotte	Mecklenburg	2010-95
Wayne Lachappelle	Charlotte	Mecklenburg	2010-95
Alcibiades Castillo	Apex	Wake	2010-110
James Earl Ennis	Roanoke Rapids	Halifax	2010-116
Arthur H. Wampler, Jr.	Oak City	Martin	2010-116
William Kenneth Everette	Whitakers	Edgecombe	2010-120
Willie Doone Scott	Zebulon	Franklin	2010-124
Benjamin Hyman Turlington	Williamston	Martin	2010-123
David Wilson	Virginia Beach	Out of State	2010-85
Robert William Davy	Newport	Carteret	2010-139
Robert Lee Wells, Jr.	Washington	Beaufort	2010-145
Randy Carl Shivar	Cove City	Craven	2010-29
Chuck Caldwell	Charlotte	Mecklenburg	2010-102
Glenn Monaco	Charlotte	Mecklenburg	2010-109
Wesley Todd Thorpe	Reidsville	Rockingham	2010-125
Secure Watch	Knoxville, TN	Out of State	2009-315
Joseph Blakney	Wingate	Union	2010-17
Darrick D. Marshall	Bladenboro	Bladen	2010-26
Matthew Michael Blashfield	Fayetteville	Cumberland	2010-92
Larry Blue	Lumberton	Robeson	2010-64
James Thomas Tabor	Rolesville	Wake	2010-48
Cable Guy	Travelers Rest	Out of State	2009-308
Andy Darnley	Glens Falls	Out of State	2010-122
Joshua Rubin	Banner Elk	Avery	2010-107

**RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD**

Adam Rubin	Banner Elk	Avery	2010-107
John R. Joachim	Glenville	Buncombe	2010-30
Dennis Harris	Wilson	Wilson	2010-154
Paul Jonathan Faries	Pilot Mountain	Surry	2010-156
Douglas Wayne Cobb	Cherryville	Gaston	2010-126
Sundance Power Systems, Inc.	Weaverville	Graham	2010-152
James Fredrick Davis	Brevard	Transylvania	2010-193
Billie Jo Graham Hunt	Lexington	Davidson	2010-223
David Wayne Perry	Raleigh	Wake	2010-159
Alan Glenn Bailey	Morehead City	Carteret	2010-198
Derek McCoy Lynn	Garner	Wake	2010-204
Jeffrey Howard Hazelton	Greenville	Pitt	2010-200
Dennis Luck	Burlington	Alamance	2010-150
Victor H. Messick	Terrell	Cabarrus	2010-130
Gregory Allen King	Greensboro	Guilford	2010-173
Mark Anthony Whitmore	Haw River	Alamance	2010-181
Charles Thomas Bunch	Asheboro	Randolph	2010-190
Leon Earl Campbell Jr.	Hamlet	Richmond	2010-194
Thomas Mitchell Chavis Jr.	Rockingham	Richmond	2010-195
Southeastern Underground Utilities	Lancaster, TX	Out of State	2010-50
Rory Crutchfield	Wendell	Wake	2010-165
Jim Smith	Wilmington	New Hanover	2010-175

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P. O. Box 18727, Raleigh, NC 27619

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

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

Telephone \_\_\_\_\_ Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**Business Location Address** (if different from mailing address) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

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