MESSAGE FROM THE CHAIRMAN

Since my early days in the electrical trade, there have been many people who have made a great influence on my life: men like Richard (Dick) Boyd, Curtis Kennedy, and Robbie Brooks – all leaders of the North Carolina State Board of Examiners of Electrical Contractors. Imagine the delight when, after retiring with forty-seven (47) years in the electrical field, I was appointed by Governor Purdue to serve as a Public Member on “The Board”.

Now an even greater honor has been bestowed upon me: to be chosen by my fellow board members to serve as the Chairperson of the Board. The task before us all - You, the Electrical Contractor and the Examining Board - is certainly perfectly stated in the Board’s Mission Statement – “To protect the life, health and property of the public…”.

As the economy improves and electrical contracting improves there seems to be better times ahead. However, there are also challenges ahead. The retirement of Robbie Brooks leaves a great opportunity for Tim Norman, not to fill Robbie’s shoes but to set his own path. I am confident that this Board, Tim and staff will strive to continue the successes and set new paths for the Board, Electrical Contractors and the citizens of North Carolina.

The Board is eagerly anticipating the appointment of another Public member to replace Donna Baxter whose term expired in June 2014. Thanks to Donna for her valuable service to the Board.

Many other issues face your Board, some of which are:
  • Statewide Electrical Technicians Classification.
  • Electrical Code adoption.
  • Program Evaluation
This program was mandated by the Legislature to study consolidation or centralizing all boards like ours. The PED (Program Evaluation Division) is now at work. Our Board attorney, Nick Fountain, and our Executive Director, Tim Norman, will certainly be involved in the process keeping us aware of all actions. After all, who knows the electrical business better than the electrical people?
  • All other on-going activities.
Discipline, finance, examinations, and continuing education are still important issues that the Board will address in the coming year.

Quite a bit on the plate, but I am confident that with your help and the help of the Board members and Staff, this year will be a very good year! I look forward to the working with you.

James Carpenter, Chairperson
NEW BOARD MEMBER APPOINTED

Governor Pat McCrory has appointed Gerald Harvell as a public member to the State Board of Examiners of Electrical Contractors. Mr. Harvell replaces Mrs. Donna Baxter whose term expired June 30, 2014. Mr. Harvell’s term will expire on June 30, 2021.

Gerald Harvell is a retired Charlotte/Mecklenburg Chief Electrical Inspector. He has over 44 years’ experience in the electrical field. He is a veteran of the US Army and enjoys computer repair, old cars, fishing and helping others. Gerald grew up in Concord and has lived there all of his life. He and his wife, Carol, have 4 children and 5 wonderful grandchildren.

TERM EXPIRES FOR BOARD MEMBER

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

Ms. Baxter served on the Board from 2007-2014. She was Board Chairperson 2010-2012.

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

ROBBIE BROOKS PRESENTED AWARD

Robbie Brooks, former Executive Director of the NC State Board of Examiners of Electrical Contractors, retired July 1, 2014 after over 34 years of service.

At a reception held in his honor, Mr. Brooks (pictured with his wife, Kim) was presented with the Order of the Long Leaf Pine.

The Order of the Long Leaf Pine is presented to individuals who have a proven record of extraordinary service to the state. Contributions to their communities, extra effort in their careers, and many years of service to their organizations are some of the guidelines by which recipients are selected for this award.
Section 10 (a) of the 2013-2014 session law directed the General Assembly’s Program Evaluation Division to conduct an evaluation of the structure, organization, and operation of the various independent occupational licensure boards as defined in G.S. 93B-1. The law requires the division to include within the evaluation:

- Consideration of the feasibility of establishing a single State Agency to oversee the administration of all or some of the occupational licensing boards.
- Whether greater efficiency and cost effectiveness can be realized by combining the administrative functions of the boards while allowing the boards to continue performing the regulatory functions, and
- Whether the total number of boards should be reduced by combining and/or eliminating some boards.

**Attorneys Comment**

A committee and staff at the General Assembly has embarked on a study whether all licensing boards, including the Electrical Board, should be abolished, combined with other boards, or placed inside State Government. As attorney to the Board, I view this as a major threat to self-regulation of the industry and, in fact, of all occupations and professions.

Most of you know that, since 1937, this Board has collected a limited amount of money from you and used a cross-section of industry folks to protect the public and regulate the industry. In my view the Board has done a good job for 75 years with a limited amount of money. Let me make a few succinct comments:

Sending your money to the Department of Commerce or some other large bureaucracy will not give you more bang for the buck. In fact, you will pay the same amount or more, a chunk will be raked off the top, and there will be less money, net, to get rid of bad apples or stop unlicensed rip-off artists.

Forcing the Board to use the State computer system would be a disaster just like Medicaid—the Board has a pretty good computer system already.

Most industry people say that the umbrella agency in Virginia and other states is not nearly as responsive as your Board has been to you.

Forcing your license renewal, or your complaint, or your license application to go through a large bureaucracy downtown before it can be handled by the Board will add cost and delay.

This Board is pretty efficient and frugal----It’s my experience that nearly every Board I have observed is more efficient and frugal than the rest of State government.

The ability of this Board to raise its own money when it must, and hire and fire when necessary, makes the Board far more effective and efficient than having this Board and your fees absorbed in the State budget---besides, the entire budget of this board wouldn’t run state government until lunchtime.

Send me an email if you’re willing to help us tell the Legislature: “If it ain’t broke, don’t fix it.” Nick Fountain <JNF@youngmoorelaw.com>
FREQUENTLY ASKED QUESTIONS
PROPOSED ELECTRICAL TECHNICIAN CLASSIFICATION

Since October 2013, the public and the industry have been aware that the Board is considering the creation of an optional technician classification to provide opportunities for licensees of the Board not now available. This topic will be on the agenda for the Board business meeting September 17-18, 2014. The following are a series of questions and answers related to the discussion.

Q. What is the supervision requirement now and what would this technician classification offer?

A. Board Rule 21NCAC 18B.0907(c) says “...supervision means active onsite review of the work by a qualified individual while the work is in progress.” This has been the standard for many years. For some time, there has been concern that there are firms in North Carolina who do not have a qualified individual check work on every job every day. Some licensees worry they are being hypocritical to say they supervise every job. The challenge of providing supervision consistent with legal requirements is different where the contractor has no employees to supervise, only has a few big jobs, or does residential work with many houses or smaller projects being wired simultaneously. The same rule applies to all, however.

Some licensees have addressed this requirement by hiring multiple qualified individuals. Others would like the choice to use Board-qualified technicians instead.

Q. What would a technician be able to do?

A. The function of the technician is to supervise the work on a job site at times when the qualifier for the licensee cannot be present. The technician is not a contractor and has no responsibility other than to supervise work onsite on behalf of the licensee who employs him.

Q. What is the difference between a qualified individual and a technician?

A. The qualified individual has taken the business portion of the exam, the code portions, the laws and rules portions and has a much wider range of training and experience. A qualified individual can bid, permit, and perform contracts. In contrast, the only role of the technician is to help with the supervision obligation of the licensee, and the test is limited to Code.

Q. What would happen to my employees who already have a journeyman card from some municipality or other jurisdiction in North Carolina?

A. The Board has met with most all the towns and expects to be able to grandfather industry people who hold a journeyman card from a municipality or other jurisdiction in North Carolina once the Board has a chance to see that the test taken is roughly equivalent to the Board Technician test. In reality, at the present time the local government journeyman programs vary as to renewal cycle, continuing education or cost or quality of test. Licensees who choose to encourage their journeymen to grandfather will be able to supervise work with the Technician (former journeymen) all across the State rather than hitting roadblocks when working in one town or another.

Q. What is the cost of the technician?

A. The Technician will cost nothing unless the licensee firm decides to use this approach. At the present time the renewal of a limited license costs $75.00. The initial application for a technician would be $50.00 plus the exam fee of $90.00. The license renewal is also $50.00. Out of the $90.00 examination fee, $57.00 goes to the provider of the multiple test sites where Board exams are administered. If the licensee firm chooses to engage multiple qualified individuals instead, the licensee pays $75.00. At the present time there is no charge for a qualified individual, but only for a license. On the other hand, hiring another Qualified Individual may carry a higher salary than a Technician.
FREQUENTLY ASKED QUESTIONS
PROPOSED ELECTRICAL TECHNICIAN CLASSIFICATION (CONTINUED)

Q. When would the technician rule become effective?
A. At the present time the Board has not decided whether to proceed with this option. If the Board decides to go ahead with it, there will need to be many months of opportunity for the grandfathering provision, but the earliest time the licensee could take advantage of this choice is likely to be early 2015.

Q. What would be the impact if the Board decides not to make any change?
A. If the Board decides to abandon the technician idea, the obligation for supervision will fall entirely on the one or more qualified individuals employed by a licensee. These individuals together are responsible to comply with the long-time requirement of personal review of the work carried out under the license.

Q. What kind of notice has the Board given the industry on this topic?
A. The Board posted notice of this possible change on the Board’s website simultaneous with an email blast on October 1, 2013. The Board then had a public hearing on December 5, 2013 with people testifying either in favor of the concept or in opposition to the concept. After the public hearing, the Board studied all the comments, verbal and written, received from any source and evaluated each idea or comment. The Board then modified the October 2013 proposal to modify the cost, the description of the certification, the grandfathering details and other components. These changes were posted again on the Board website and provided to known industry groups. Thus, by the time the Board considers the matter in September 2014, all Qualified Individuals will have had approximately one year to comment and evaluate whether this opportunity might be useful for their firm.

Q. Will the Board make money from the technician program and does the Board need the money?
A. Best estimates are that 200-300 persons might take advantage of this technician concept if it is approved. Once the exam provider is paid (which doesn’t apply to those who fit in the grandfather clause), there is no “profit” in the application examination process. Likewise, the renewal fee for the technician certification is roughly equivalent to what it will cost the Board to process; thus a fair answer to the question “Will the Board make money?” is “not really”.

WELL CONTRACTOR LICENSING CHANGES

**Senate Bill 734 was ratified Friday, August 15, 2014 and is awaiting the Governor’s signature.**

SECTION 42. (a) G.S. 87-43.1 is amended by adding the following new subdivision to read:

"§ 87-43.1. Exceptions. The provisions of this Article shall not apply:
(10) To the installation, construction, maintenance, or repair of electrical wiring, devices, appliances, or equipment by a person certified as a well contractor under Article 7A of this Chapter when running electrical wires from the well pump to the pressure switch."

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

"§ 87-98.6. Well contractor qualifications and examination.
(a) The Commission, with the advice and assistance of the Secretary, shall establish minimum requirements of education, experience, and knowledge for each type of certification for well contractors and shall establish procedures for receiving applications for certification, conducting examinations, and making investigations of applicants as may be necessary and appropriate so that prompt and fair consideration will be given to each applicant."
The NC Board of Examiners of Electrical Contractors was proud to present to Mr. Daniel J. Thomas the 11th Annual Continuing Education Instructor of the Year award at the North Carolina Electrical Institute Meeting April 8th, 2014.

Through the years Mr. Thomas has been a consistent resource for our industry, serving as an educator and mentor to many electricians, inspectors and electrical contractors. He instructs electrical continuing education courses approved by NC Board of Examiners of Electrical Contractors and the NC Code Qualifications Board, Office of State Fire Marshall. He is an electrical instructor for approved sponsors Daniel J. Thomas Jr., Vance Granville Community College and Piedmont Community College. Mr. Thomas’ courses are an asset to those in the industry and those who seek quality continuing education services. Mr. Thomas was one of the first Continuing Education Providers and Instructors for the NC Board of Examiners of Electrical Contractors that started in 1991.

He has been a member of International Association of Electrical Inspectors (IAEI) for 24 years and served as President of the NC Ellis Cannon Chapter, IAEI, in 2003. He still serves on the Code Clearing and Education Committees and has served Nominations Committee in the past.

Mr. Thomas was Chair of the Council of Code Officials (COCO) for over six years. He has served on the Electrical Advisory Board for Durham Technical Community College for many years.

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

Mr. Thomas was born in Oxford in Granville County and is 65 years old. He started his career in the electrical industry in 1966 in Durham working for Davis Electric, firm in South Carolina, and worked in the Research Triangle Park as a helper during the summer. He then worked full time in 1968 for and electrical contractor, Hayes Thomas.

Mr. Thomas has 47 years of experience in the electrical industry. He passed his Limited Exam March 26, 1975 when he was 26 years old. He obtained his electrical contracting license in July of 1975 as D. J. Thomas Electrical Service. He then passed his Unlimited Exam, March 19, 1983, when he was 34 years old. In 1983 Mr. Thomas became a field electrical inspector for the City of Durham and Chief Electrical Inspector in 1989. In 1994 when the City and County of Durham merged governments, Mr. Thomas remained Chief Electrical Inspector until he retired December 31, 2013.

Mr. Thomas has been married to his wife Gale for 45 years and lives in Vance County NC. He has a daughter Lisa and three sons, Dan, Joseph and Johnathan. He has six grandsons and four granddaughters who all live NC.

The Board would like to express their appreciation and gratitude to Mr. Thomas' continued dedication and service as an approved instructor for the Board's Continuing Education Program.

We would like to extend to Mr. Thomas continued success in the electrical industry.

Mr. Thomas joins an elite class of past recipients of this award.

The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education please submit the instructor’s name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. The instructor with the most votes will be recognized at the North Carolina Electrical Institute meeting being held April 7th – 8th, 2015 in Raleigh, NC.

If you would like to participate, please notify us by email at aparris@ncbeec.org or vote on the Boards website at www.ncbeec.org under “Continuing Education” and “Instructor of the Year Award”.
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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<tr>
<th>QUANTITY</th>
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QUANTITY: ______________ LICENSE NUMBER: ______________________

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ADDRESS: _________________________________________________________________________________________

CITY:_________________________________________________   STATE:  ____________   ZIP: ________________

RESIDENTIAL ADDRESS  COMMERCIAL ADDRESS

METHOD OF PAYMENT:  □ CHECK/MONEY ORDER  □ VISA  □ MASTERCARD  □ OTHER

Card #:_________________________________________________ Exp. Date ______________________________ CID#_________________

Month/Year 3 digit # on back of card

Name on Card ___________________________________________ Signature________________________________________

***ALL EXAMS ARE CURRENTLY CONDUCTED BASED ON THE 2011 NATIONAL ELECTRICAL CODE***
RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

COURT CASES

CASE FILE NUMBER: 2012-234
NON-LICENSEE: Drew Luthern d/b/a Southern Enclosures
ADDRESS: 140 Peninsula Manor
Hubert, NC 28539
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Onslow County Superior Court resulting in the entry of a Court Order on March 10, 2014 whereby Drew Luthern individually and d/b/a Southern Enclosures is adjudged to be in direct Civil Contempt of Court. The Defendant shall purge his contempt by:
(a) Committing no further violation of the December 8, 1999 Judgment of Permanent Injunction; and
(b) Paying a fine in the amount of one thousand dollars ($1000.00) to the Clerk of Superior Court of Onslow County within 45 days of the entry of the Court Order. Clerk of Court shall disburse the $1000.00 fine to the local school fund.

In the event following a subsequent hearing it is determined the Defendant failed to purge his contempt by failing to comply with the terms of Court Order, the Defendant shall be arrested by the Sheriff of Onslow County and shall serve a term of thirty (30) days in the Onslow County jail, in addition to any additional sanctions that are found to be appropriate for subsequent violations of the December 8, 1999 Judgment of permanent Injunction.

Respondent remains permanently restrained and enjoined for offering to engage in electrical contracting as defined in G.S. 87-43 until such time as he has been licensed therefore the NC Board of Examiners of Electrical Contractors.

EFFECTIVE DATE: March 10, 2014

CASE FILE NUMBER: 2012-234
NON-LICENSEE: Drew Luthern d/b/a Southern Enclosures
ADDRESS: 140 Peninsula Manor
Hubert, NC 28539
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Onslow County Superior Court resulting in the entry of a Court Order on March 10, 2014 whereby Drew Luthern individually and d/b/a Southern Enclosures is adjudged to be in direct Civil Contempt of Court. The Defendant shall purge his contempt by:
(a) Committing no further violation of the December 8, 1999 Judgment of Permanent Injunction; and
(b) Paying a fine in the amount of one thousand dollars ($1000.00) to the Clerk of Superior Court of Onslow County within 45 days of the entry of the Court Order. Clerk of Court shall disburse the $1000.00 fine to the local school fund.

In the event following a subsequent hearing it is determined the Defendant failed to purge his contempt by failing to comply with the terms of Court Order, the Defendant shall be arrested by the Sheriff of Onslow County and shall serve a term of thirty (30) days in the Onslow County jail, in addition to any additional sanctions that are found to be appropriate for subsequent violations of the December 8, 1999 Judgment of permanent Injunction.

Respondent remains permanently restrained and enjoined for offering to engage in electrical contracting as defined in G.S. 87-43 until such time as he has been licensed therefore the NC Board of Examiners of Electrical Contractors.

EFFECTIVE DATE: March 10, 2014

CASE FILE NUMBER: 2013-25
NON-LICENSEE: Randy Parker
ADDRESS: 13930 N. Hwy 50
Surf City, NC 28445
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Onslow County Superior Court resulting in the entry of a Court Order on March 10, 2014 whereby Drew Luthern individually and d/b/a Southern Enclosures is adjudged to be in direct Civil Contempt of Court. The Defendant shall purge his contempt by:
(a) Committing no further violation of the December 8, 1999 Judgment of Permanent Injunction; and
(b) Paying a fine in the amount of one thousand dollars ($1000.00) to the Clerk of Superior Court of Onslow County within 45 days of the entry of the Court Order. Clerk of Court shall disburse the $1000.00 fine to the local school fund.

In the event following a subsequent hearing it is determined the Defendant failed to purge his contempt by failing to comply with the terms of Court Order, the Defendant shall be arrested by the Sheriff of Onslow County and shall serve a term of thirty (30) days in the Onslow County jail, in addition to any additional sanctions that are found to be appropriate for subsequent violations of the December 8, 1999 Judgment of permanent Injunction.

Respondent remains permanently restrained and enjoined for offering to engage in electrical contracting as defined in G.S. 87-43 until such time as he has been licensed therefore the NC Board of Examiners of Electrical Contractors.

EFFECTIVE DATE: March 10, 2014

CASE FILE NUMBER: 2013-51
NON-LICENSEE: Larry Yaw d/b/a LC and Son Construction
ADDRESS: 710 Silverston Rd.
Autryville, NC 28318
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Sampson County Superior Court resulting in the entry of a Court Order on November 7, 2013 whereby Larry Yaw individually and d/b/a LC and Son Construction 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: November 7, 2013

CASE FILE NUMBER: 2013-57
NON-LICENSEE: Jimmy D. Crowder
ADDRESS: 210 East Nast Street
Wilson, NC 27893
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Wilson County Superior Court resulting in the entry of a Court Order on October 29, 2013 whereby Jimmy D. Crowder individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: October 29, 2013

CASE FILE NUMBER: 2013-57
NON-LICENSEE: Jimmy D. Crowder
ADDRESS: 210 East Nast Street
Wilson, NC 27893
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Wilson County Superior Court resulting in the entry of a Court Order on October 29, 2013 whereby Jimmy D. Crowder individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2013-79
NON-LICENSEE: Alan Hoyle d/b/a Hoyle Services & Hoyle's Hearth and Home
ADDRESS: 319 N. Popular Street
Lincolnton, NC 28092
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Lincoln County Superior Court resulting in the entry of a Court Order on February 24, 2014 whereby Alan Hoyle individually and d/b/a Hoyle Services & Hoyle's Hearth and Home 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.
EFFECTIVE DATE: February 24, 2014

CASE FILE NUMBER: 2013-109 and 2013-185
NON-LICENSEE: Cesar Mendoza d/b/a Cesars Enterprise Electric
ADDRESS: 1008 Sales Street
High Point, NC 27260
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 November 7, 2013 whereby Cesar Mendoza individually and d/b/a Cesars Enterprise Electric is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: November 7, 2013

CASE FILE NUMBER: 2013-139
NON-LICENSEE: Stephen D Grindstaff d/b/a Piedmont Heating & Air Conditioning
ADDRESS: P. O. Box 5158
Charlotte, NC 28299
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 October 23, 2013 whereby Stephen D. Grindstaff individually and d/b/a Piedmont Heating & Air Conditioning is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: October 23, 2013

CASE FILE NUMBER: 2013-148
NON-LICENSEE: Leon Howard Freeman d/b/a Cardinal Systems Group
ADDRESS: PO Box 194
Hayesville, NC 28904
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Clay County Superior Court resulting in the entry of a Court Order on December 12, 2013 whereby Leon Howard Freeman individually and d/b/a Cardinal Systems Group is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: December 12, 2013

CASE FILE NUMBER: 2013-156
NON-LICENSEE: Freddie Culler, Jr.
ADDRESS: 609 Dobson St.
Kernersville, NC 27284
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on April 2, 2014 whereby Freddie Culler, Jr. individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: April 2, 2014

CASE FILE NUMBER: 2013-157
NON-LICENSEE: Keith Drye
ADDRESS: 36447 Goode Dr.
Albemarle, NC 28001
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Stanly County Superior Court resulting in the entry of a Court Order on November 17, 2013 whereby Keith Drye individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: November 17, 2013

CASE FILE NUMBER: 2013-160
NON-LICENSEE: Thomas Robert Finnerty d/b/a Paragon Electric
ADDRESS: 21348 Nautique Boulevard, Apt. 202
RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Cornelius, NC 28031

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

COURT ACTION: Civil action instituted in Mecklenburg Count County Superior Court resulting in the entry of a Court Order on December 12, 2013 whereby Thomas Robert Finnerty individually and d/b/a Paragon Electric is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: December 12, 2013

CASE FILE NUMBER: 2013-164
NON-LICENSEE: Harvey Underwood
ADDRESS: 3171 Meadow Lark Ln.
Sophia, NC 27350

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on February 18, 2014 whereby Harvey Underwood individually is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: February 18, 2014

CASE FILE NUMBER: 2013-180
NON-LICENSEE: Stephen Smith d/b/a FSW Restorations/ S-S Builders
ADDRESS: 5368 Alamo Ct.
Trinity, NC 27370

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on February 25, 2014 whereby Stephen Smith, individually and d/b/a FSW Restorations/ S-S Builders 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: February 25, 2014

CASE FILE NUMBER: 2013-181
NON-LICENSEE: Leo Joseph Overman d/b/a Midstate Quality Home Improvements
ADDRESS: 538-A NC Hwy. 100
Whitsett, NC 27377

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on December 11, 2013 whereby Leo Joseph Overman individually and d/b/a Midstate Quality Home Improvements is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: December 11, 2013

CASE FILE NUMBER: 2013-182
NON-LICENSEE: Steven Ford d/b/a S&B Equipment Services
ADDRESS: 1872 River Crest Way
Lawrenceville, GA 30045

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

COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on December 3, 2013 whereby Daniel Paul Sanner individually and d/b/a Accessibuilt, Inc. is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

EFFECTIVE DATE: December 3, 2013

CASE FILE NUMBER: 2013-194
NON-LICENSEE: Donald Dawayne Puckett
ADDRESS: P. O. Box 1438
Waynesville, NC 28786
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on February 25, 2014 whereby Saul Valdez individually and d/b/a Savalro General Maintenance is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.
EFFECTIVE DATE: February 25, 2014

CASE FILE NUMBER: 2013-260
NON-LICENSEE: Isac Peter Thomas
ADDRESS: 327 Eldorado St.
Troy, NC 27371
VIOLATION: Engaging in the business of electrical contracting without a license
COURT ACTION: Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on March 11, 2014 whereby Isac Peter Thomas, individually, is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with his own costs of this action.
EFFECTIVE DATE: March 11, 2014

VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (5), (7) and Title 21 NCAC 18B Section .0402 (b) in that the firm:
(1) operated in a name other than that issued by the Board by doing business as Load Management Partnership;
(2) engaging in false or misleading advertising by operating Load Management Partnership at Maurice Barrus Road, Buxton; 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 the following conditions:
(1) Neither engage, offer to engage or market electrical contracting other than in the name in which license is shown on the records of the Board;
RECENT DISCIPLINARY ACTION TAKEN 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) 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: February 11, 2014

CASE FILE NUMBER: 2013-55
LICENSEE: Robert Clayton Skinner
ADDRESS: PO Box 685
Bailey, NC 27807
LISTED QUALIFIED INDIVIDUAL: Robert Clayton Skinner
LICENSE NUMBER: 15152 SP-FA/LV
VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (7) and Title 21 NCAC 18B .0402 (b) in that the firm:
(1) Inspected and certified the fire alarm system at Raleigh Road Baptist Church, 4150 Raleigh Road Parkway West, Wilson with deficiencies;
(2) Conducted business in a name other than list with the Board by using name Security Sight & Sound Alarm Co. Inc.; 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 the following conditions:
(1) Properly inspect and test all fire alarms prior to issuing certification to authority having jurisdiction in compliance with NFPA 72 Fire Alarm Code;
(2) Neither engage, offer to engage or market electrical contracting other than in the name in which license is shown on the records of the Board; and
(3) 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: June 5, 2014

CASE FILE NUMBER: 2013-91
LICENSEE: CNT Builders LLC
ADDRESS: 920 Mandarin Trail
Jacksonville, NC 28540
LISTED QUALIFIED INDIVIDUAL: Thomas William Cotter
LICENSE NUMBER: 16435-U
VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (1) and (7) in that the firm:
On or about December 14, 2011 you continued to operate your electrical contracting business after license expired replacing a submersible well pump at 151 Falling Brooke Road, Stokesdale in Rockingham County.

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

Staff noted license has been inactive since May 31, 2004. Probation will start the day license is reinstated.

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

EFFECTIVE DATE: February 11, 2014

CASE FILE NUMBER: 2013-125
LICENSEE: Robert Clyde Thompson
ADDRESS: 377 Cardwell Rd.
Mayodan, NC 27027
LISTED QUALIFIED INDIVIDUAL: Robert Clyde Thompson
LICENSE NUMBER: 3973-U
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
Failed to obtain required electrical permit prior to installing electrical wiring of a mobile pedestal located 352 Colonial Square Mobile Home Park, Roanoke Rapids, NC on or about February 1, 2013.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars ($250.00) and six (6) month probation, with six (6) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:
(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: February 11, 2014

CASE FILE NUMBER: 2013-136
LICENSEE: Conwell Electric Company
ADDRESS: 661 Zoo Road South
Roanoke Rapids, NC 27870
LISTED QUALIFIED INDIVIDUAL: Charles Jasper Conwell
LICENSE NUMBER: 7472-L
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
Failed to obtain required electrical permit prior to installing electrical wiring of a mobile pedestal located 352 Colonial Square Mobile Home Park, Roanoke Rapids, NC on or about February 1, 2013.
RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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

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

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

EFFECTIVE DATE: February 11, 2014

CASE FILE NUMBER: 2013-142 and 2013-179
LICENSEE: Lesane Electrical
ADDRESS: P. O. Box 14307
Greensboro, NC 27415
LISTED QUALIFIED INDIVIDUAL: Virgil Tyrone Lesane
LICENSE NUMBER: 22888-SP-SFD
VIOLATION(S): Violated General Statute 87-43 and 87-47 (a1) (1) and (7) in that the firm:
(1) Exceeded the scope of firms electrical contracting license in that firm contracted and installed electrical wiring at commercial projects located 2150 N. Church St. Burlington, NC (case file #2013-142) and 2706 E. Wendover St. Greensboro, NC (see case #2013-179); and
(2) Engaged in deceit or unethical conduct in the use of Respondents license, firm contracted commercial electrical projects and obtained an electrical permit from the City of Greensboro which was over the limitations of Respondents SP-SFD license.

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

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

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

EFFECTIVE DATE: February 11, 2014

CASE FILE NUMBER: 2013-173
LICENSEE: Lime Energy Services Co.
ADDRESS: 18711 Ruffner Drive, Unit 2 B
Cornelius, NC 28031
LISTED QUALIFIED INDIVIDUAL: Timothy Francis Bean
LICENSE NUMBER: 23794-U
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
(1) Commenced work on a project at Eastern Regional Housing Authority, Winfrey Court I & II, South Slocomb St., Goldsboro prior to obtaining required permits from City of Goldsboro; and
(2) Engaging in malpractice in the practice of electrical contracting.

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

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

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

EFFECTIVE DATE: February 11, 2014

CASE FILE NUMBER: 2013-177
LICENSEE: Vision Electrical LLC
ADDRESS: 569 Club Knolls Road
Dudley, NC 28333
LISTED QUALIFIED INDIVIDUAL: Brandon Keith Sherman
LICENSE NUMBER: 28339-L
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
(1) Commenced work on a project at 3125 Dr. Martin Luther King Jr. Blvd., New Bern prior to obtaining a required permit from City of New Bern; and
(2) Engaging in malpractice in the practice of electrical contracting.

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

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

EFFECTIVE DATE: February 11, 2014

CASE FILE NUMBER: 2013-177
LICENSEE: Vision Electrical LLC
ADDRESS: 569 Club Knolls Road
Dudley, NC 28333
LISTED QUALIFIED INDIVIDUAL: Brandon Keith Sherman
LICENSE NUMBER: 28339-L
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
(1) Commenced work on a project at 3125 Dr. Martin Luther King Jr. Blvd., New Bern prior to obtaining a required permit from City of New Bern; and
(2) Engaging in malpractice in the practice of electrical contracting.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars ($250.00) and six (6) month probation, with six (6) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board
RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

**CASE FILE NUMBER:** 2013-217  
**LICENSEE:** Mr. Electric of Charlotte  
**ADDRESS:** 920 W. Tremont Avenue  
Charlotte, NC 28203  
**LISTED QUALIFIED INDIVIDUAL:** Derrick Kircher  
**LICENSE NUMBER:** 29779-L  
**VIOLATION(S):** Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:  
Failed to obtain the required electrical permit from the Mecklenburg County Inspection Department prior to performing electrical project located at 2301 Hopedale Avenue, Charlotte, NC.  
**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars ($250.00) and six (6) month probation, with six (6) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:  
(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and  
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.  
There was no objection from the licensee and the Board concurred in the action of staff.  
**EFFECTIVE DATE:** June 5, 2014

**CASE FILE NUMBER:** 2013-222  
**LICENSEE:** ARuss Electrical Contractors Inc  
**ADDRESS:** Alphonso Russell Sr.  
PO Box 1328  
Raeford, NC 28376  
**LISTED QUALIFIED INDIVIDUAL:** Alphonso Russell Sr.  
**LICENSE NUMBER:** 18248-L  
**VIOLATION(S):** Violated General Statute 87-43 and 87-47 (a1) (3), (7) and Title 21 NCAC 18B .0909 in that the firm:  
(1) Aided or abetted unlicensed activity in that you have paid a non-licensee, Pablo Giron, who was not a bona fide employee of your firm ARuss Electrical Contractors, Inc.; and  
(2) Failed to obtain a required electrical permit from the Hoke County Inspection Department before commencement of starting electrical work for project located 6020 Phillipi Church Rd. Raeford, NC.  
**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred dollars ($500.00) and one (1) year probation, with one (1) year suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:  
(1) Have written contracts or proposals for all projects having a project value in excess of one hundred dollars ($100.00) signed by the licensee and customer for each installation for which the licensee is responsible;  
(2) Obtain permits prior to commencement of work and obtain inspections within ten (10) days of substantial completion for all work for which license is required;  
(3) Utilize only employees receiving a W-2 from the Respondent firm and only on projects for what the firm has its electrical contracts and provide supervision by a qualified person;  
(4) Maintain records detailing and documenting compliance with the provisions of the probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and  
(5) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board.
There was no objection from the licensee and the Board concurred in the action of staff.

**EFFECTIVE DATE:** February 11, 2014

**CASE FILE NUMBER:** 2013-229

**LICENSEE:** Elevator Specialists of Carolina Inc

**ADDRESS:** 405 Creek Haven Drive

Holly Springs, NC 27540

**LISTED QUALIFIED INDIVIDUAL:** Jason Allen Brummett

(Qualified Individual)

**OWNER:** Helen A. Brummett (President)

**LICENSE NUMBER:** 26100-SP-EL

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

1. Elevator Specialists of Carolina Inc and Jason Allen Brummett failed to notify Board’s office of loss of qualifier with-in five days;
2. Jason Allen Brummett failed to supervise and direct electrical contracting done by or in the name of Elevator Specialists of Carolina Inc by allowing firm and employees to continue to operate an electrical contracting business during time Jason Allen Brummett during time incarcerated in Wake County Department of Corrections after date of September 28, 2013. Release date projected March 10, 2014; and
3. Engaging in unethical conduct and deceit.

**BOARD ACTION:** The Board, acting through its staff, proposed qualifications of Jason Allen Brummett be surrendered immediately to the Board until Jason Allen Brummett is released from the Wake County Department of Corrections after date of September 28, 2013. Release date projected March 10, 2014; and

**EFFECTIVE DATE:** February 11, 2014

**CASE FILE NUMBER:** 2014-2

**LICENSEE:** Unlimited Electrical Solutions

**ADDRESS:** 3305 Beroth Road

Pfafftown, NC 27040

**LISTED QUALIFIED INDIVIDUAL:** Michael Glenn Maurer

**LICENSE NUMBER:** 25237-U

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

Failed to follow verbal instructions given to Respondent by the Surry County Inspection Department relating to inspections and temporary power for an electrical project located at 911 Worth Street, Mount Airy, NC.

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

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

**EFFECTIVE DATE:** June 5, 2014

**CASE FILE NUMBER:** 2014-33

**LICENSEE:** Mr 900 Electric

**ADDRESS:** 11432 Abernathy Road

Charlotte, NC 28216

**LISTED QUALIFIED INDIVIDUAL:** Joseph Blaine Scarborough

**LICENSE NUMBER:** 23506-L

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

Failed to obtain required electrical permit for project located 10629 Tarton Field Circle, Raleigh, NC.

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

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

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

**EFFECTIVE DATE:** June 5, 2014
in the event of failure to comply with the following conditions:
(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: June 5, 2014

CASE FILE NUMBER: 2014-40
LICENSEE: Marvin Reed Electric Co. Inc. d/b/a A-OK Electric Co
ADDRESS: P. O. Box 10943
Greensboro, NC 27404-0943
LISTED QUALIFIED INDIVIDUAL: Marvin L. Reed
LICENSE NUMBER: 4845-L
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
Failed to obtain required electrical permit before commencement of work at 1617 Guilford College Rd. Greensboro, NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars ($250.00) and six (6) month probation, with six (6) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:
(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: June 5, 2014

CASE FILE NUMBER: 2014-48
LICENSEE: Gowdy Electric
ADDRESS: P. O. Box 2849
Matthews, NC 28106
LISTED QUALIFIED INDIVIDUAL: Scott David Gowdy
LICENSE NUMBER: 27698-U
VIOLATION(S): Violated General Statute 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that the firm:
Failed to obtain required electrical permit before commencement of work at 1617 Guilford College Rd. Greensboro, NC.

BOARD ACTION: The Board, acting through its staff, proposed a reprimand and a civil penalty of two hundred fifty dollars ($250.00) and six (6) month probation, with six (6) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:
(1) Commit no violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board; and
(2) Obtain permits prior to commencement of work and request inspections within ten (10) days of substantial completion of all work for which license is required.

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

EFFECTIVE DATE: June 5, 2014

CASE FILE NUMBER: 2012-30
LICENSEE: EnerTouch Inc. d/b/a Good Cents Solutions
ADDRESS: 400 Perimeter Center Ter NE
Suite 245
Atlanta, GA 30346
LISTED QUALIFIED INDIVIDUALS: Richard Roger Barnard
Michael Eugene Cress
LICENSE NUMBER: 29934-U and 06222-U
VIOLATION(S): 1. During the years 2011-2012 Richard Roger Barnard and EnerTouch Inc. d/b/a Good Cents Solutions operated 3 separate branch offices without having at least one listed qualified individual regularly on active duty with specific duty and authority to supervise and direct all electrical wiring or electrical installations work done or made by the separate places of business. Said branch offices were located in Raleigh, NC, Charlotte, NC, and Richmond, VA.
2. At all relevant times Respondents have operated under contracts to serve as the exclusive installer of load management devices for Duke Energy Carolinas, LLC, Progress Energy Carolinas, Inc. (now known as Duke Energy Progress) and Dominion North Carolina Power in the State of NC. Load management devices allow utilities to shift electrical demand during peak energy use so as to promote efficient management of power grids as relates to HVAC systems for residential customers of the utilities.
3. Included amongst those installations of load management devices were installations at 259 McCrae St, Grifton, NC, 6734 Dupont, Grifton, NC, and 6324 Niblick Dr., Grifton, NC.
4. Respondents acknowledge that in addition to the foregoing installations, they have installed thousands of load management devices in the State of North Carolina.
5. The installations of these load management devices take place on the customer’s premises, are connected to the customer’s wiring, and are beyond the point of delivery as defined by law.
6. Based on evidence it received as part of an investigation initiated following the receipt of a Complaint by the Board, it has been alleged by Board staff that Respondents:
   a. operated branch offices without having at least one listed qualified individual regularly on active duty with the specific duty and authority to supervise and direct the electrical installation work being performed;
   A. failed to supervise employees at the branch offices;
   B. failed to install Load Management Devices in compliance with the North Carolina State Electrical Code;
   C. failed to obtain electrical permits from the local authority having jurisdiction before commencing work for which a license is required; and
   D. failed to request final inspection within 10 days of completion of work for which a license is required.

1. Respondents acknowledge that it operated branch offices in North Carolina without having at least one listed qualified individual regularly on active duty with the specific duty and authority to supervise and direct the electrical installation work being performed but submit that any violation of Board rule or statute was unintentional. Respondents deny the remaining allegations against it and deny that any other violations of Board rule or Statute has occurred.

2. At no time were Respondents engaged in work as employees of any of the aforesaid utilities or carrying out work on the load side of the meter on the property of any given residential customer of a utility.

3. Respondents further represent they now have on regular active duty at least one qualified individual in the Raleigh and Charlotte offices. Respondent firm further represents that all future contracts for electrical contracting work in North Carolina executed after the date of this Order will include (but not be limited to) the signature of a listed qualified individual. Michael Cress further acknowledges that, with respect to existing contracts, he will be the qualified individual responsible for overseeing installations in North Carolina, and Respondent firm shall make any necessary updates to its business operations to effectuate the same.

4. Respondents maintain that their installations are code compliant and that permit and inspections were not required and that it currently uses no wiring smaller that 14-gauge electrical wiring on its installations of load management devices.

5. Respondents wish to resolve this matter to avoid the time, expense and uncertainty inherent in any hearing process.

6. Respondents have indicated a willingness to inspect and coordinate with them, in order to (i) conduct examinations of its previously-installed residential load management devices in North Carolina that it has reason to believe contain 16 AWG power wiring, (ii) make any needed corrections, contemporaneous with such examinations, to make the wiring compliant with the current North Carolina Electric Code, and (iii) ensure such examinations and corrections occur within three (3) years from the entry of this Order under the supervision of a licensed electrical contractor. Further, as set forth in the letter from Duke Energy Progress attached as Exhibit A, Duke Energy Progress is separately required to complete inspections and maintenance of its other load management devices in North Carolina pursuant to its filings with the North Carolina Utilities Commission regarding its Residential EnergyWise Program. In the event that Respondent GoodCents is no longer under contract with Duke Energy Progress, Duke Energy Progress will use all reasonable efforts to complete inspection of the load management devices that it reasonably believes contain 16 AWG power wiring within the three-year period provided in this Order.

1. Upon entry of this Order, Good Cents will substitute Michael Eugene Cress for Respondent Barnard as the listed qualified individual in North Carolina responsible for compliance with the terms and conditions of this Order.

2. Respondent Barnard will voluntarily surrender his license as an Electrical Contractor in North Carolina.

BOARD ACTION: 1. This Board was created pursuant to the provisions of Article 4, Chapter 87, of the General Statutes of North Carolina and has the authority to discipline conduct and sanction licensees pursuant to N.C.G.S. 87-47. Under N.C.G.S. 87-47(a1)(7) the following activities are prohibited: “Engaging in malpractice, unethical conduct, fraud, deceit, gross negligence, gross incompetence, or gross misconduct in the practice of electrical contracting.”

1. Under the relevant part of N.C.G.S. 87-43, “In each separate place of business operated by an electrical contractor at least one listed qualified individual shall be regularly on active duty and shall have the specific duty and authority to supervise and direct all electrical wiring or electrical installation work done or made by such separate place of business.”

2. 21 NCAC 18B .0301 provides as follows: LISTED QUALIFIED INDIVIDUAL: A listed qualified individual cannot be “regularly on active duty”, as the term is used in G.S. 87-43, during the hours when he has committed himself to work for an employer other than the employers on whose license he is the listed qualified individual. Therefore, no electrical contracting work can be done under a license during the hours its listed qualified individual has committed himself to duty as an employee in other employment.


4. Respondent has operated branch offices without having at least one listed qualified individual regularly on active duty.
with the specific duty and authority to supervise and direct the electrical installation work being performed.

5. The foregoing paragraphs, if proved, would establish violations of N.C.G.S. 87-47 and the Rules of the Board. Based upon the foregoing Findings of Fact and Conclusions of Law, and with the consent of the parties, the Board enters the following order:

1. That the license of Respondent firm be placed on probation for a period of two (2) years, effective upon the entry of this Order as a final action by the Board.

2. During the period of probation, Respondent firm shall comply with the following conditions of probation:
   (a) have written contracts or proposals signed by the licensee and utility for any installations of load management devices or other electrical equipment or devices in accordance with the provisions of this probation order which shall be available for inspection at any time during normal business hours upon request of the staff of the Board; and
   (b) Maintain a written record of the location of future installations of load management devices or other electrical equipment or devices;
   (c) Obtain permits, if required by law, for each contract prior to commencement of electrical contracting work performed after the entry of this Order;
   (d) Inspect and re-install the load management devices at 259 McCrae St, Grifton, NC, 6734 Dupont, Grifton, NC, and 6324 Niblick Dr., Grifton, NC within thirty days of the entry of this Order;
   (e) During the period that Respondent GoodCents is under contract with a utility to install, examine, and/or repair load management devices in North Carolina, Respondent GoodCents shall consult and coordinate with such utility to ensure examinations of each residential load management device previously installed by Respondent Good Cents in the State of North Carolina that Respondent GoodCents has reason to believe contains 16 AWG power wiring.
   (f) Respondent GoodCents shall further ensure that any needed corrections to such devices are made contemporaneous with such examinations in order to make the wiring compliant with the current North Carolina Electric Code. Such examinations and corrections shall occur within three (3) years from the entry of this Order and under the supervision of a licensed electrical contractor.
   (g) Commit no violation of Article 4, Chapter 87 of the General Statutes or the Rules promulgated by the Board.

1. On or about January 12, 2012, Randy Martin Howard, license #11579-U, as the qualified individual for Electrical Services Limited, contracted with Ralph Hodge Construction Co., to install electrical wiring for the Sterling Point Pumping Station project located on property owned by the City of Greenville, NC and under the control of the Greenville Utilities Department.

2. After ordering electrical supplies including wire for the project and having it delivered to the site, Respondents:
   (a) Failed and refused to pay the supplier, Electric Supply Company, any consideration for the wire invoiced at $94,122.18;
   (b) Thereafter, signed and submitted a false lien waiver representing that payment in the amount of $128,250.00 to Electric Supply Company has been made or would be made for said materials;
   (c) Altered invoice(s) from Electric Supply Company in an effort to support an inflated claim of $128,500.00 rather than $94,122.18 with the intention to obtain funds for which no additional material or services had been provided;
   (d) Accepted the sum $128,500.00 which was paid by Ralph Hodge Construction Company to Respondents based on reliance upon the false representations of the Respondent;
   (e) Failed to apply any of the sum of $128,500.00 towards the outstanding invoices of the Electric Supply Company;
   (f) Forced Ralph Hodge Construction Company to pay twice for the materials in question to avoid a negative impact to their bond rating;
   (g) Had an adverse judgment entered against Respondents in the favor of Ralph Hodge Construction Company in the amount of $128,250.00 in Beaufort County Civil Superior Court;

1. The parties acknowledge that, by signing the Order on behalf of Respondent Firm as a listed qualified individual, Michael Cress is subject to the terms and conditions imposed by this Order as a listed qualified individual; provided, however, that this Order contains no disciplinary sanction against Michael Cress as no proceedings were initiated against Michael Cress individually.

EFFECTIVE DATE: December 5, 2015

CASE FILE NUMBER: 2012-202
LICENSEE: Electrical Services Limited
ADDRESS: 70 East Bayside Dr
Chocowinity, NC 27817
LISTED QUALIFIED INDIVIDUAL: Randy Martin Howard
LICENSE NUMBER: 11579-U
VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) and the Rules of the Board in that firm;
1. Failing to apply the sum $128,500.00 which was paid by Ralph Hodge Construction Company to Respondents based on reliance upon the false representations of the Respondent;
2. Failed to apply any of the sum of $128,500.00 towards the outstanding invoices of the Electric Supply Company;
3. Forced Ralph Hodge Construction Company to pay twice for the materials in question to avoid a negative impact to their bond rating;
4. Had an adverse judgment entered against Respondents in the favor of Ralph Hodge Construction Company in the amount of $128,250.00 in Beaufort County Civil Superior Court;
5. Thereafter was unsuccessful in having the claims of Ralph Hodge Construction Company discharged in Bankruptcy during a matter before the United States Bankruptcy Court for the Eastern District of North Carolina and Ralph Hodge Construction Company recovered $32,259.37 from the Bankruptcy Trustee; and
**BOARD ACTION:** The Disciplinary Committee recommended:

1. That the license of Respondent firm Electrical Services Limited and the status of Respondent Randy Martin Howard as a qualifying individual be suspended for a period of 24 months. The license of Respondents may be reinstated thereafter following a request of the Respondents and a personal appearance by Randy Martin Howard before the full Board.

2. The license of Respondents may be reinstated earlier following a request of the Respondents and a personal appearance by Randy Martin Howard before the full Board after this Order has been in effect for a period of 12 months if Respondents can demonstrate that they have made payment(s) towards the judgment of Ralph Hodge Construction Company in the amount of at least $53,740.63.

   There was no objection from Mr. Howard and the Recommended Order was approved by the Board as a Final Decision.

**EFFECTIVE DATE:** February 1, 2014

**CASE FILE NUMBER:** 2013-261

**LICENSEE:** JEB Electric Corporation

**ADDRESS:** 6930 Hwy 210 S.

Autryville, NC 28318

**LISTED QUALIFIED INDIVIDUAL:** Jason Elliot Bryant

**LICENSE NUMBER:** 28098-U

**VIOLATION(S):** At the commencement of a hearing on February 11, 2014, counsel announced to the Board that as a result of discussions as to the evidence and the Rules of the Board, the parties have entered into an agreement upon the terms of this Order and submit the Order to the Board for approval or rejection.

The Board finds and concludes as follows:

1. The Board entered a Final Order December 13, 2012. Under the terms of the Order, the license of Respondent firm T&N Electric Corporation and the status of qualified individual Jason Bryant were revoked.

2. The Order further provided that prior to reinstatement, Jason Bryant must:
   
   A. complete an Electrical Standard Level I course available through the Code Officials Qualifications Board;
   
   B. complete the Law and Administration course available through the Code Officials Qualifications Board;
   
   C. demonstrate that he is not to be partner, officer or shareholder of a partnership corporation or LLC in which Eddie Lee Naylor, Jr is an employee, officer or director.

3. The Order further provided that in the event license and qualifications are reinstated, the license and qualification must be on probation for a period of two (2) years.

4. In support of his request, Jason Bryant has shown evidence that the courses have been completed, and an affidavit that he has no business ties to Eddie Lee Naylor, and that the year of revocation has been an economic hardship and that the Board can be assured there will be no future violation of the statutes and rules enforced by the Board.

5. This Board was created pursuant to the provisions of Article 4, Chapter 87, of the General Statutes of North Carolina and has the authority to revoke or suspend license for malpractice, gross negligence, incompetence, misconduct or misrepresentation in the practice of or in carrying on the business of electrical contracting, as well as to enforce and modify its own Orders.

**BOARD ACTION:** Based upon the foregoing Findings the Board enters the following order:

1. Respondent's qualifications and license to engage in business as an electrical contractor be reinstated upon execution of consent to this order and payment of the appropriate renewal fees and completion of any omitted continuing education.

2. Following restoration of license, Respondent is placed on probation for a period of two (2) years, during which Respondent shall comply with the following terms and conditions:

   (a) Have written contracts signed by the Respondent and customer for each installation in excess of $100.00 for which Respondent 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 a job file for each job, containing the records of that project, including a copy of the contract and permit;

   (d) Request inspection within 10 days of substantial completion, as to both the rough-in and final stage of the project;

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

   (f) Utilize only employees receiving a W-2 from the Respondent firm and only on projects for which the firm has the electrical contract and for which Respondent and his firm provide supervision by a qualified person;

   (g) Not be a partner, officer or shareholder of a partnership corporation or LLC in which Eddie Lee Naylor, Jr is an employee, officer or director.

   (h) 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;

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

3. In the event of violation of terms of the probation, qualifications and license will be revoked for three (3) years.

**EFFECTIVE DATE:** February 11, 2014
RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

CASE FILE NUMBER: 2013-265
LICENSEE: Chris Sinclair Electric LLC
ADDRESS: 400 Bryant Road
Dunn, NC 28334
LISTED QUALIFIED INDIVIDUAL: Christopher Michael Sinclair
LICENSE NUMBER: 27819-L
VIOLATION(S): Violation of North Carolina General Statute 87-47 (a1) (7) and the Rules of the Board in that firm; Failed to obtain required electrical permit before commencement of work at 408 S. Wilson St. Dunn, NC.
BOARD ACTION: The Disciplinary Committee recommended: A written reprimand.

There was no objection from Mr. Christopher Michael Sinclair and the Recommended Order was approved by the Board as a Final Decision June 5, 2014.
EFFECTIVE DATE: June 5, 2014

CASE FILE NUMBER: 2014-36
LICENSEE: Victori Construction & Consulting LLC
ADDRESS: 5424 Bethel Lane
Monroe, NC 28110
LISTED QUALIFIED INDIVIDUAL: Richard James Moore
LICENSE NUMBER: 10661-L
VIOLATION(S): 1. Respondent submitted application to reactivate license on February 26, 2014 with disclosed criminal convictions. 2. The application was deferred pending review by the Committee as to criminal conduct. 3. The Board staff presented evidence of multiple incidents, infractions and a substantial record of criminal convictions including Felony, October 31, 2006 “Larceny and Breaking or Entering” that was addressed by this Board through a May 13, 2010 signed Consent (File #2007-2). 4. On May 13, 2010 the Board’s Staff evaluated the prior license reinstatement application received on May 11, 2010 together with criminal conviction records submitted and records Board’s Staff obtained by a criminal background search. Pursuant to GS 87-47(a1) (4), the Board was permitted to deny issuing you a license on the grounds of “crime involving fraud or moral turpitude by conviction thereof”. However, based on the submitted information, Staff proposed to reactivate license on May 13, 2010 provided that Respondent consent to be placed on probation for two (2) years beginning the date license was reactivated. License was reactivated on May 13, 2010. The condition of the Board’s probation was that Respondent commit no violation of the statutes related to larceny and that Respondent commit no violation of the laws and rules applicable to electrical contracting during the period of probation. Any such violation could result in the suspension or revocation of license and qualification by the Board.

5. Attached with the February 26, 2014 reinstatement application were additional criminal documents of misdemeanor convictions of July 19, 2011 “Larceny”, June 20, 2012 “Shoplifting Concealment of Goods” and July 12, 2012 “Resisting Public Officer”. These convictions are in violation GS 87-47 (a1) (4) and the Board’s Consent Order.

BOARD ACTION: The Disciplinary Committee recommended: 1. The application to renew license of Respondent, Richard James Moore may be reinstated. 2. Upon reactivating license, Respondent’s qualifications are 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. 3. In the event of violation of terms of the probation, license will be revoked. The Board may impose such additional sanctions as indicated by any new violations of G.S. 87-47.

There was no objection from Mr. James Richard Moore and the Recommended Order was approved by the Board as a Final Decision June 5, 2014
EFFECTIVE DATE: June 5, 2014
CONSENT AGREEMENTS

Criminal background checks are 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.

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<td>11676-I</td>
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NON-LICENSEE – WARNINGS AND WARNING AFFIDAVITS

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

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## NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS

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## 2014 NATIONAL ELECTRICAL CODE BOOK ORDER FORM

THE 2014 NEC BOOKS (SOFT-COVER) ARE AVAILABLE FOR PURCHASE FROM THE BOARD’S OFFICE. 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 PRICE SCHEDULE IS AS FOLLOWS:**

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(PRICE INCLUDES SALES TAX, SHIPPING & HANDLING)

**QUANTITY:** ______________ **LICENSE NUMBER:** ______________

**NAME:** ___________________________________________________________________________________________

**ADDRESS:** __________________________________________________________________________________________

CITY__________________________________________ STATE __________________ ZIP _______________

[ ] RESIDENTIAL ADDRESS [ ] COMMERCIAL ADDRESS

**METHOD OF PAYMENT:**

- [ ] CHECK/MONEY ORDER  - [ ] VISA  - [ ] MASTERCARD  - [ ] OTHER

Card #:________________________________________ Exp. Date:________________________ CID#:____________

Month/Year 3 digit # on back of card

Name on Card ____________________________________ Signature_________________________________
The Board currently employs three 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.

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<td>Roy Wilson</td>
<td>Mitch Bryant</td>
<td>Robert H. Lawson</td>
</tr>
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<tr>
<td>Email: <a href="mailto:rwilson@ncbeec.org">rwilson@ncbeec.org</a></td>
<td>Email: <a href="mailto:mitchb@ncbeec.org">mitchb@ncbeec.org</a></td>
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