



## NORTH CAROLINA STATE BOARD OF EXAMINERS OF ELECTRICAL CONTRACTORS

# NEWSLETTER

JANUARY 2017, EDITION #71

### MESSAGE FROM THE CHAIRMAN

As you read this newsletter, 2017 will be underway. What happened to 2016? It surely seems that as we get older, time has a way of slipping by a little faster. The beginning of a new year is a great time to reflect upon time passed. Did we accomplish all that we wanted last year? What did we get right? What could we have done a little better?

Your Board has been hard at work addressing the downward trend of young folks entering our industry. Several staff and Board members have been out speaking to high school students, community college classes and various educators seeking input to address this critical challenge facing the electrical industry. You can help too by telling someone the benefits of entering this trade that we all love. We must be willing to counsel and mentor a young person just getting started. Together we can make a difference.

2016 also saw the ending of terms for two outstanding Board members. Dr. John Kelly and Mr. Johns Martin concluded their official service with the Board. They served you well. However knowing these two public servants, I'm sure they'll serve our industry for many years to come.

Newly appointed to your Board are Dr. Leonard White and Mr. Stuart Laney. Both have already proven to be valuable assets and are eager to address the needs of the electrical industry.

Looking forward to 2017, your Board will hold a workshop with a meet and greet at the Double Tree Resort in Atlantic Beach on February 28th from 5:00 to 7:00PM. We'd love to meet and spend some time hearing from you.

Also please make plans to join us at the 88th annual NC Electrical Institute in Raleigh in early April. It's one of the largest gathering of our industry in the nation and always provides a lot of useful information. Hope to see you there.

Thank you for all you do to keep the citizens of North Carolina safe from hazards arising from the use of electricity. Until we speak again, be safe.

Respectfully,  
Mark Griffin, Chairperson

### 2017 NC ELECTRICAL INSTITUTE

The 2017 NC Electrical Institute is April 10<sup>th</sup> & 11<sup>th</sup> at the Hilton North Raleigh. This is a week later than usual, so be sure to mark your calendars.

Our online registration information will be up by mid-late January, so keep an eye on the website. We will also be sending an email reminder and a postcard by mail to all licensees.

We look forward to seeing you!

### LICENSE TRIVIA

What is the average age of the Board's licensees?

Of the 12,514 licensees, how many are 30 years old or younger?

*See back page for answers*

**Electrical Contractors Newsletter**

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

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Pat McCrory, Governor

**BOARD MEMBERS**

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 Stuart Laney  
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 Licensing

Tonya M. Lynch  
 Administrative Program Assistant-Reception & Licensing

Epsie D. Stevens  
 Records Manager

**NEW BOARD MEMBER**

Stuart D. Laney, Jr. is the President of Laney Electrical Construction, Inc. in Wilmington, NC. He is a third generation electrical contractor; first getting hands on experience while in high school. Stuart received a BS in Industrial and Technical Education from East Carolina University in 1971. He has been a member of the North Carolina Association of Electrical Contractors since 1977 and has served in positions in the local division and at the state level. He is committed to training the next generation of electricians and electrical contractors as evidenced in his involvement with the New Hanover Electrical Apprentice Training Program and Cape Fear Community College Electrical / Electronics Advisory Board.

His community service includes Scoutmaster and Assistant Scoutmaster for Troup 237 from 1994 until the present. Stuart is a member and Sunday School Leader at Coastal Community Baptist Church.

Stuart and his wife, Melba, live in New Hanover County. They have two children, Anna and Stuart III and one grandchild, Alexander. In addition to ECU football, Stuart enjoys boating and fishing; especially fishing for red fish.

**ACTIVE LICENSE SUMMARY-DECEMBER 31, 2016**

Following is a summary of active licenses by classification through December 31, 2016.

Unlimited	3338
Intermediate	443
Limited	6812
SP-SFD	420
SP-FA/LV	967
SP-PH	399
SP-EL	52
SP-ES	51
SP-WP	26
SP-SP	6
<b>Total</b>	<b>12,514</b>

## CONTEST WINNERS

Congratulations to James Archer, with W.B. Moore Company, for winning the 9th Annual North Carolina Association of Electrical Contractors (NCAEC) Apprenticeship contest on September 23, 2016.



*James Archer (pictured on the left)*

Congratulations to Joshua (Jesse) Adkins, from Starr Electric, for winning the 2016 NC Apprentice Contest held at the State Fairgrounds on October 19, 2016.



**14<sup>th</sup> ANNUAL CONTINUING EDUCATION INSTRUCTOR OF THE YEAR**

Last year the Board presented Mr. Carl Thomas “Tom” Bumgarner with the 13th Annual Continuing Education Instructor of the Year Award. It’s time to cast your vote for the 2016 recipient of the “Instructor of the Year” Award. With your votes we will select an instructor who is dedicated and highly skilled and inspires others to learn.

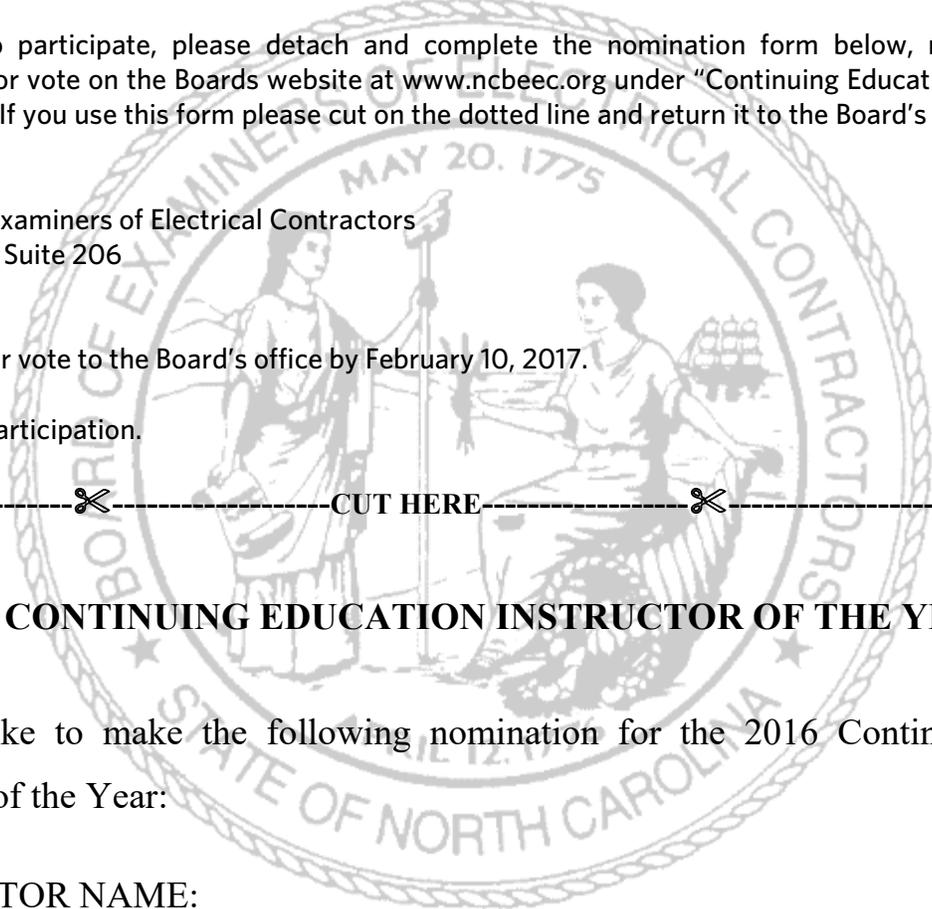
The Board would like for you to cast your vote for an instructor you feel should receive special recognition. If you have had an instructor who gave you valuable information on the NEC and quality time for your required continuing education please submit the instructor’s name. Also, you can submit a note or letter on why you feel the instructor should receive this recognition. The instructor with the most votes will be recognized at the North Carolina Electrical Institute meeting being held April 11<sup>th</sup> and 12<sup>th</sup>, 2017 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 Boards 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  
3101 Industrial Drive, Suite 206  
Raleigh, NC 27609

You must submit your vote to the Board’s office by February 10, 2017.

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 2016 Continuing Education Instructor of the Year:

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

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

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

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## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

### COURT CASES

**CASE FILE NUMBER:** 2012-158

**NON-LICENSEE:** Wayne Rogers, d/b/a Comfort Tech  
**ADDRESS:** 215 Cody Drive  
Thomasville, NC 27360

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

**COURT ACTION:** Civil action instituted in Davidson County Superior Court resulting in the entry of a Court Order on April 21, 2016 whereby Wayne Rogers individually and d/b/a Comfort Tech 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 21, 2016

**CASE FILE NUMBER:** 2014-102

**NON-LICENSEE:** Jeff "Dusty" Coley, Jr., d/b/a Carolina Appliance  
**ADDRESS:** 48010 Access Dr.  
Albemarle, NC

**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 12, 2016 whereby Jeff "Dusty" Coley, Jr. individually and d/b/a Carolina Appliance 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 12, 2016

**CASE FILE NUMBER:** 2014-228

**NON-LICENSEE:** Edward "Nate" Love  
**ADDRESS:** 718 Doug St.  
Roxboro, NC 27573

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

**COURT ACTION:** Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on August 8, 2015 whereby Edward "Nate" Love 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:** August 8, 2016

**CASE FILE NUMBER:** 2015-203

**NON-LICENSEE:** Cuc Nguyen d/b/a N&T Custom Cabinetry and N&T Custom Cabinetry, Inc.

**ADDRESS:** 3611 Scott Futrell Dr.  
Charlotte, NC 28205

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

**COURT ACTION:** Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on June 2, 2016 whereby Duc Nguyen individually and d/b/a N&T Custom Cabinetry and N&T Custom Cabinetry, 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:** June 2, 2016

**CASE FILE NUMBER:** 2015-230

**NON-LICENSEE:** Leonard Thomas d/b/a LA Thomas Construction Co.

**ADDRESS:** 407 Hillcrest Dr.  
High Point, NC 27262

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

**COURT ACTION:** Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on June 16, 2016 whereby Leonard Thomas individually and d/b/a LA Thomas Construction Company is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

**EFFECTIVE DATE:** June 16, 2016

**CASE FILE NUMBER:** 2016-12

**NON-LICENSEE:** John Wayne Gray  
**ADDRESS:** 8137 TwinHarbor Dr.  
Mt. Gilead, NC 27306

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

**COURT ACTION:** Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on July 18, 2016 whereby John Wayne Gray individually and d/b/a Gray 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:** July 18, 2016

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

**CASE FILE NUMBER:** 2016-68

**NON-LICENSEE:** Johnny Richard Osborne Jr.

**ADDRESS:** 40688 B Old Cottonville Rd.  
Norwood, NC 28128

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

**COURT ACTION:** Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on August 17, 2016 whereby \_ Johnny Richard Osborne Jr. individually and d/b/a Handyman Service is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

**EFFECTIVE DATE:** August 17, 2016

**CASE FILE NUMBER:** 2016-69

**NON-LICENSEE:** Rodney Deaton d/b/a Deaton HVAC Service & Repair

**ADDRESS:** 66 Willow Street  
Badin, NC 28009

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

**COURT ACTION:** Civil action instituted in Wake County Superior Court resulting in the entry of a Court Order on August 25, 2016 whereby Rodney Deaton individually and d/b/a Deaton HVAC Service & Repair is permanently restrained from engaging in the business of electrical contracting as defined in Article 4, Chapter 87 of the General Statutes of North Carolina, until such time he has been issued a license from the Board. The defendant was assessed with the costs of this action.

**EFFECTIVE DATE:** August 25, 2016

## NOTICE OF VIOLATIONS

**CASE FILE NUMBER:** 2015-181

**LICENSEE:** Hyman's Electrical Contracting

**ADDRESS:** 8683 Hwy 258  
Scotland Neck, NC 27874

**LISTED QUALIFIED INDIVIDUAL:** Michael Jonathan Hyman

**LICENSE NUMBER:** 18884-L

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

Continued to operate electrical contracting business after license expired and offered to engage in electrical contracting by obtaining an electrical permit for project located at NC Highway 903 Scotland Neck, NC.

**BOARD ACTION:** The Board, acting through its staff,

proposed a reprimand.

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

**EFFECTIVE DATE:** September 15, 2016

**CASE FILE NUMBER:** 2015-184

**LICENSEE:** Bogue Banks Electric

**ADDRESS:** PO Box 357  
Atlantic Beach, NC 28512

**LISTED QUALIFIED INDIVIDUAL:** Ronald Kevin Pelfrey

**LICENSE NUMBER:** 26780-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 permits from the Atlantic Beach Inspection Department prior to performing electrical work on a project located at Tar Landing Villas, 2106 E. Fort Macon Rd., Atlantic Beach, NC.

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

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

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

**EFFECTIVE DATE:** December 8, 2016

**CASE FILE NUMBER:** 2016-9

**LICENSEE:** Ray's Electrical Contracting

**ADDRESS:** 6958 NC 305 Hwy  
Jackson, NC 27845

**LISTED QUALIFIED INDIVIDUAL:** Jeffrey Neil Ray

**LICENSE NUMBER:** 25752-I

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

- (1) Failed to obtain a required electrical permit and inspection for wiring installed at 798 Creeksville Rd., Conway, NC and 7941 Hwy 35, Pendleton, NC; and
- (2) Engaged 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

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

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:** September 15, 2016

**CASE FILE NUMBER:** 2016-11

**LICENSEE:** M&S of NC LLC d/b/a Michael & Son

**ADDRESS:** 140 Dupree Street  
Charlotte, NC 28208

**LISTED QUALIFIED INDIVIDUAL:** George Burton Vogt, Qualifier

**LICENSE NUMBER:** 23731-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 City of Kings Mountain Inspection Department prior to performing electrical work on the electrical project located at 1421 Merrimont Avenue, Kings Mountain, NC 28086.

**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 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.

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

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

**EFFECTIVE DATE:** December 8, 2016

**CASE FILE NUMBER:** 2016-25

**LICENSEE:** Laxton Heating, Cooling & Electrical Inc

**ADDRESS:** P. O. Box 290  
Beckley, WV 25802

**LISTED QUALIFIED INDIVIDUAL:** Michael D. Laxton II

**LICENSE NUMBER:** 30123-U

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

Aided or abetted unlicensed activity in that firm contracted with a non-licensee, Mr. Ron Cantrell d/b/a RC Electric Contractor of 20836 Hall Rd. Suite 348, Clinton Twp. MI 48038 for a project known as BJ Restaurant & Brewhouse located 192 Hames Mall Cr. Winston Salem, NC.

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

(\$500.00) and one (1) year probation, with suspension or revocation of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

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

(2) Have written contracts or proposals for all projects having a project value in excess of one hundred dollars (\$100.00) signed by the licensee and customer for each installation for which the licensee is responsible;

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

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

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

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

**EFFECTIVE DATE:** September 15, 2016

**CASE FILE NUMBER:** 2016-64

**LICENSEE:** Dynamic Mechanical Service LLC

**ADDRESS:** 7138 Beale Road  
Snow Camp, NC 27349

**LISTED QUALIFIED INDIVIDUAL:** Jeffrey Ryan Mays

**LICENSE NUMBER:** 29172-U

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

Failed to obtain required electrical permit before commencement of electrical work for wiring of (18) eighteen HVAC systems at Brighton Place Apartments located 1159 N. First St. Mebane, 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:** September 15, 2016

**CASE FILE NUMBER:** 2016-66

**LICENSEE:** R.S. Johnson Electric LLC

**ADDRESS:** 3189 Saw Mill Drive

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Elon, NC 27244

**LISTED QUALIFIED INDIVIDUAL:** Ronald Shane Johnson

**LICENSE NUMBER:** 29862-U

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

Aided or abetted unlicensed activity in that firm contracted with non-licensees that were not bona fide employees for the first three (3) months of their employment by use of a 1099 form as an independent contractor.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and one (1) year probation with the following conditions:

- (1) Commit no further violation of Article 4, Chapter 87 of the General Statutes or the rules of the Board;
- (2) Utilize only employees receiving a W-2 from the Respondent firm and only on projects for what the firm has its electrical contracts and provide supervision by a qualified person;
- (3) Have written contracts or proposals for all projects having a project value in excess of one hundred dollars (\$100.00) signed by the licensee and customer for each installation for which the licensee is responsible;
- (4) Obtain permits prior to commencement of work and obtain inspections within ten (10) days of substantial completion for all work for which license is required;
- (5) Maintain job files or other written records of contracts made and installations performed; and
- (6) Maintain records detailing and documenting compliance with the provisions of the probation order which records shall be available for inspection at any time during normal business hours upon request of the staff of the Board.

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

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

**EFFECTIVE DATE:** September 15, 2016

**CASE FILE NUMBER:** 2016-97

**LICENSEE:** MI Electric LLC

**ADDRESS:** 8720 Magnolia Estates Drive  
Cornelius, NC 28031

**LISTED QUALIFIED INDIVIDUAL:** Marc Jason Lovisa

**LICENSE NUMBER:** 28438-SP-SFD

**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 work on the electrical project located at 19007 Hodestone Mews Court, Davidson 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 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.

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

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

**EFFECTIVE DATE:** December 8, 2016

**CASE FILE NUMBER:** 2016-99

**LICENSEE:** Etheridge Electric Company LLC

**ADDRESS:** 1437 Owls Den Rd.  
Lincolnton, NC 28092

**LISTED QUALIFIED INDIVIDUAL:** Michael Lannis Ethridge

**LICENSE NUMBER:** 26049-U

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

Aided or abetted unlicensed activity in that firm allowed Mr. Sal Kosten to perform electrical work for firm on the project located at 3019 Idlewood Circle, Charlotte NC without being a bona fide employee of firm.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and a civil penalty of five hundred (\$500.00) and one (1) year probation, with twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

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

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

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

**EFFECTIVE DATE:** December 8, 2016

**CASE FILE NUMBER:** 2016-115

**LICENSEE:** B-K Electric/Heating & Air /Co.

**ADDRESS:** 810 Harvest Point Drive  
Fuquay-Varina, NC 27526-5592

**LISTED QUALIFIED INDIVIDUAL:** Billy Lloyd Morris

**LICENSE NUMBER:** 8555-U

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

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

Allowed a permit to be obtained and license number to appear upon a permit for work which firm's employee did not perform. Respondent did not provide general supervision until the completion of the work at an electrical project located 1210 Drew St. Durham, NC.

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

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

**EFFECTIVE DATE:** December 8, 2016

**CASE FILE NUMBER:** 2016-120

**LICENSEE:** Southeastern Mechanical and AC Services Inc

**ADDRESS:** P.O. Box 3443

Lumberton, NC 28359

**LISTED QUALIFIED INDIVIDUAL:** William Patrick Bernicki

**LICENSE NUMBER:** 21206-L

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

(1) Failed to complete or abandoned an electrical project contracted electrical wiring at 1688 Hardin Rd. Lumberton, NC and failed to start the project; and

(2) Engaged in malpractice, unethical conduct and fraud in the practice of electrical contracting in that Respondent received \$3,000.00 and did not start or complete the electrical project.

**BOARD ACTION:** The Board, acting through its staff, proposed a reprimand and one (1) year probation, with twelve (12) months suspension of license and the right to serve as a listed qualified individual on any license issued by the Board in the event of failure to comply with the following conditions:

(1) Pay in restitution the sum of three thousand dollars (\$3,000) to Ms. Sharon Hughes of 817 S. Whitehall Cr. Florence, SC 29501 within 30 days of approval of this order by the Board;

(2) William Bernicki must complete the Contractor Business Class (Umpire Technologies Group, Inc., 919-624-3456) approved by the NC State Board of Examiners of Electrical Contractors and present evidence to the Board of a passing grade by Oct 5, 2017;

(3) Have written contracts or proposals for all projects having a project value in excess of one hundred dollars (\$100.00) signed by the licensee and customer for each installation for which the licensee is responsible;

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

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

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

There was no objection from the licensee and the Board

concurred in the action of staff.

**EFFECTIVE DATE:** December 8, 2016

## ORDERS

**CASE FILE NUMBER:** 2015-17

**LICENSEE:** Canter Power Systems LLC

**ADDRESS:** 2100 Fairfax Road

Greensboro, NC 27407

**LISTED QUALIFIED INDIVIDUAL:** Kenneth Lee Canter

**LICENSE NUMBER:** 13215-U

**VIOLATION(S):** 1. Respondent holds license number 13215-U and is the listed qualified individual for Canter Power Systems, LLC.

2. The matter was jointly considered at the same time as the allegations pending against Patrick E. Bailey and ESI Maintenance with the consent of Respondent due to factual overlaps.

3. Respondent's disciplinary history reflects two prior incidents in which he failed to obtain permits before commencement of work on jobs. The first incident in 2006 resulted in a Permit Warning. As a result of an incident on or about April 15, 2015, involving the 3804 Brandt Lake Ct. property, the Board assessed a civil penalty and placed Respondent Canter's license on probation for 6 months by Final Decision dated 9/24/15.

4. The terms of Respondent's probation require Respondent to refrain from further violations of the Board's laws and rules and further provide that in the event of a failure to comply with the terms of probation, the Respondent's license and right to serve as a listed qualified individual will be suspended for 6 months.

5. The Board retains the authority and discretion to deviate from the agreed upon sanction for a probation violation if circumstances warrant. The Board accepts the representation of Respondent that there was a lack of intent on the part of Respondent to violate the Board's laws and rules which warrants the exercise of the Board's discretion to deviate from the imposition of an active suspension as the sanction in this matter.

6. Between September 2015 and December of 2015, Respondent, without taking all appropriate steps to fully verify the North Carolina licensure status of Mr. Paul K. Young and his firm Paul K. Young Electric, LLC, subcontracted to an unlicensed individual, for the installations of electrical generators at the following sites:

a) 421 Regalwood Drive, Jacksonville, NC

b) 268 Hooper Rd., Rutherfordton, NC

7. Paul K. Young is licensed to engage in business as an electrical contractor in South Carolina, but not in North Carolina.

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

8. Respondent's statements and the other available evidence suggest that Paul K. Young engaged in business as an electrical contractor and that Respondent improperly subcontracted work to Paul K. Young. Respondent's statements and the available evidence suggest that Respondent did not intentionally subcontract to an unlicensed individual and that improvements to the Respondent firm's system for verification of the licensure status of its subcontractors have been put in place and corrections as needed have been made to the work in question. The evidence suggests Respondent had previously contracted jobs in South Carolina to Paul K. Young and further that Respondent relied upon misrepresentations of Mr. Young which misrepresentations could have been discovered by appropriate steps to verify whether Mr. Young held a license in North Carolina.

9. Paul K. Young was not a bona-fide employee and was not being paid as a W-2 employee by Respondent Canter and therefore was not exempt as to the license requirements that apply to unlicensed individuals. Respondent improperly subcontracted work requiring a license to an individual not licensed to engage in business as an electrical contractor in North Carolina.

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

1. Respondent pay a civil fine in the amount of \$250.00 to the Board within 30 days of this order.

2. The license of Respondent shall be placed on probation for a period of 1 year and during the period of probation the Respondent shall:

a) 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

b) Commit no violations of Article 4, Chapter 87 of the North Carolina General Statutes or the Rules of the Board with regard to any qualification administered by the Board.

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

3. That in the event of violation of terms of this probation order, this Order may be entered into evidence together with evidence of any such violation and the Board may take such action including revocation or suspension of license as is justified by the new evidence in addition to the suspension set out above.

4. During the period of probation, the foregoing records and the contracting activities of the Respondent shall be monitored by the staff of the Board.

There was no objection from Mr. Canter and Order was approved by the Board as a Final Decision September 15, 2016.

**EFFECTIVE DATE:** June 1, 2016

**CASE FILE NUMBER:** 2015-142

**LICENSEE:** Isenberg Electric

**ADDRESS:** 203 East Harrison Street  
Salisbury, NC 28144

**LISTED QUALIFIED INDIVIDUAL:** Paul Isenberg

**LICENSE NUMBER:** 7917-U

**VIOLATION(S):** Violated G. S. 87-47 (a1) (7) and Title 21 NCAC 18B .0909 in that Mr. Isenberg and his firm:

Failed to obtain required electrical permit before commencement of electrical work for wiring of a business located 305 Forbes St, Salisbury, NC on or about July 2, 2015.

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

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

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

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

(3) have signed written contracts or accepted signed proposals for all work for which license is required .

In the event of failure to comply with the terms of probation, Respondent shall pay a two hundred fifty dollar (\$250.00) civil penalty, together with such additional sanctions as indicated by any new violation of G.S. 87-47.4.

There was no objection from Mr. Isenberg and the Recommended Order was approved by the Board as a Final Decision September 15, 2016.

**EFFECTIVE DATE:** September 15, 2016

**CASE FILE NUMBER:** 2016-101

**LICENSEE:** Presto Electric

**ADDRESS:** 212-B Fairview Drive  
Lexington, NC 27292

**LISTED QUALIFIED INDIVIDUAL:** Delmer Ray Hicks

**LICENSE NUMBER:** 24619-L

**VIOLATION(S):** 1. Respondent holds a limited license, license number 24619-L and is the listed qualified individual for Presto Electric. The license has an annual expiration of 7/31/15. That license was renewed based upon a June 16, 2016 Consent Order of the Board and subject to the conditions thereto.

2. The June 16, 2016 Consent Order followed a late renewal of the subsequent disclosure of a criminal conviction.

3. The Electrical Contracting license #24619-L listed in the name of Ray Hicks Electrical Service expired on 7/31/15.

4. Thereafter, the Board received another late license application with a proposed name change to Presto Electric, and some criminal documentation on 6/13/16. There was prior to that a renewal application filed on 5/11/15 that failed

## RECENT DISCIPLINARY ACTION TAKEN BY THE BOARD

to disclose any convictions. A more complete criminal background check by Board staff showed Respondent failed to disclose an 11/20/14 misdemeanor conviction of Aiding and Abetting Breaking and Entering on the 5/11/15 license renewal application.

5. On August 4, 2016, the Board's Disciplinary approved the June 16, 2016 Consent Agreement placing Respondent on probation to begin on the date issuance of license and terminating on 6/15/17 which probation included a condition of disclosure of criminal convictions. Respondent was reminded to be truthful with the Board on all future communications and to not commit violations of the law or rules of electrical contracting during the period of probation. He was warned any such violations could result in suspension or revocation of license by the Board.

6. Another late license application for the next year of Respondent's licensure was received by the Board on 8/8/16, in which application Respondent failed to disclose additional convictions for Misdemeanor larceny on 8/13/15 and Shoplifting Concealment of Goods on 7/7/16.

7. Respondent failed to comply with the terms of probation ordered by Consent Order dated 6/16/16 by committing acts violating G.S. 87-47 (a1)(4&5) and failing to disclose the 8/13/15 and 7/7/16 convictions.

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

1. The license of Respondent firm and the status of Respondent Delmar Hicks as a qualifying individual is revoked.

2. Respondent may petition the Board in 12 months for a hearing to consider the possibility of a reinstatement of his license.

There was no objection from Mr. Hicks and the Recommended Order was approved by the Board as a Final Decision December 8, 2016.

**EFFECTIVE DATE:** December 8, 2016

## 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
Hugh Edward Chappellear Jr	Candler	Buncombe	28192-SFD	2015-228

## NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS

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

Name	City	County	File Number
Thomas Maurer	Eden	Rockingham	2016-7
Ricky Moore	Mills River	Henderson	2015-60
Chad Hajek	Asheville	Buncombe	2016-67
Joseph Civitello	Morganton	Burke	2016-26
Zach Hacker	Valdese	Cleveland	2016-62
Thomas Cogan	Gastonia	Gaston	2016-13
Donald Sawyer	Chesnee, SC	Out of State	2015-164

**NON-LICENSEE - WARNINGS AND WARNING AFFIDAVITS (cont.)**

Curtis Sherrill	Troutman	Iredell	2016-70
Stephen Bolin	Shelby	Cleveland	2015-202
Jeremy Clay Abbott	Conover	Catawba	2016-90
Douglas Chou	Cary	Wake	2015-220
Jeremy Brown	Graham	Alamance	2016-57
Jay Couch	High Point	Guilford	2016-56
Thurmond Smith	Oxford	Granville	2015-133
Jack Shoemaker	Houston, TX	Out of State	2015-97
Ricky J. Turpin	Randleman	Randolph	2016-59
Richard Alfarone	Randleman	Randolph	2016-85
Jay Edwards	Richmond, VA	Out of State	2015-10
Brian Bryant	High Point	Guilford	2016-40
Marion Mathewson	Hillsborough	Orange	2015-105
David Wallach	Raleigh	Wake	2015-39
Curnel S. Glenn	Durham	Durham	2015-106
Dennis Sayers	Emerald Isle	Carteret	2014-152
Andres Marin	Charlotte	Mecklenburg	2016-104
Richard Curt Olson	Knightdale	Wake	2016-89
Gary Mueller	Cary	Wake	2015-114
Bradley K. Dameron	Bristol, VA	Out of State	2016-105
Carl Kasalek	Tempe, AZ	Out of State	2016-105
Renaldo McKinney	-	Cabarrus	2015-193
Joel Carson Laprade	Hendersonville	Henderson	2016-82
David Bedsaul	Raleigh	Wake	2016-53
Mark Pogue	Catawba	Catawba	2016-114
Rodney Atwell	Charlotte	Mecklenburg	2016-52
Austin McCoy Powell	Granite Falls	Caldwell	2016-76
			2016-111
Kevin Broadway	Indian Trail	Union	2016-127
Bob Dunlap	Rock Hill, SC	Out of State	2016-73
Charlie Handy	Statesville	Iredell	2016-141
Jason Rodriguez	Raleigh	Wake	2016-55
			2015-61
Glenn Breton	Wilmington	New Hanover	2016-135
Linwood Jones	Clayton	Johnston	2015-240
Jeffrey Lee Riecken II	Concord	Cabarrus	2016-118
Al Wilson	Liberty, SC	Out of State	2016-119
Samuel King Bowling	Rocky Mount	Nash	2016-131
Ryan L. Quimby-Johnson	Lexington	Davidson	2016-123
Patrick Mills	Raleigh	Wake	2016-54
Steve Harrison	Greensboro	Guilford	2015-185

## LICENSE TRIVIA ANSWERS

Question 1: What is the average age of the Board's licensees?

Answer: 55

Question 2: Of the 12, 514 licensees, how many are 30 years old or less?

Answer: 100

For more information on our aging industry, see report below:

## Licensee Age Report

License Year	Average Age of Licensee	Total Active	Total Without Birth Dates	Age 18-25	Age 26-30	Age 31-35	Age 36-40	Age 41-45	Age 46-50	Age 51-55	Age 56-60	Age 61-65	Age 66-70	Age 70-79	Age 80-Over
2003	47.00	16393	2800	85	457	1277	2045	2441	2373	2097	1444	811	356	187	12
2004	47.90	15769	2634	53	351	1043	1833	2340	2352	2134	1536	873	382	205	23
2005	48.55	15527	2465	42	293	933	1671	2352	2358	2108	1638	994	412	224	26
2006	49.16	15525	2342	34	280	842	1596	2294	2338	2198	1765	1072	459	256	34
2007	49.68	15606	2263	27	281	749	1576	2196	2382	2245	1876	1149	534	279	34
2008	50.16	15589	2225	34	278	706	1462	2074	2393	2271	1927	1242	627	302	30
2009	50.69	15362	2081	27	260	659	1318	1954	2379	2319	1984	1323	676	334	30
2010	51.24	15104	1954	18	228	625	1205	1801	2415	2299	1984	1394	755	376	32
2011	51.76	14751	1841	15	215	560	1113	1695	2294	2268	2040	1475	776	402	38
2012	52.26	14349	1725	11	186	549	973	1643	2147	2242	2049	1521	806	431	47
2013	52.84	14086	1638	13	145	533	898	1529	2030	2243	2020	1554	898	507	57
2014	53.45	13733	1541	12	120	484	834	1384	1876	2239	2012	1632	950	555	73
2015	54.01	13433	1452	13	108	441	776	1280	1744	2221	2012	1643	1002	641	78
2016	54.58	12734	1340	13	87	385	731	1132	1605	2042	1937	1629	1052	676	84