



MARINE CONTRACTORS LICENSING BOARD
c/o Maryland Department of the Environment

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MARINE CONTRACTORS LICENSING BOARD
MEETING Minutes – December 10, 2018

Location: DNR Wye Island NRMA Conference Center, Queenstown, MD

BOARD MEMBERS PRESENT

Milton Rehbein, Chairman
 Andrew Hanas, DNR Representative
 Josh Schleupner, Shore Contractor Rep.
 Elder Ghigiarelli, Temporary MDE Rep.
 Robert Murtha, SoMD Rep

OTHERS PRESENT

Thomas Blair, Board administrator

CALL TO ORDER

The meeting was called to order by Mr. Rehbein at 10:12 AM at Wye Island NRMA Conference Center, Queenstown, MD. Four Board members were present, as well as the temporary MDE representative Mr. Elder Ghigiarelli, and the Board's administrator.

AGENDA REVIEW

The Board reviewed the agenda for the meeting which included review of September 10, 2018 minutes, review of licensing activities, budget review, and ongoing discussion of definition of similar experience relating to marine contracting, continue review of draft license or application suspension policy and review and discussion of new license applications received as well as recent complaints concerning licensed marine contractors.

REVIEW OF PRIOR MEETING MINUTES

Board Members reviewed and approved (with minor corrections) by vote the draft September 10, 2018 meeting minutes. There was further discussion concerning the process for approval of new license applications. The Board members agreed that applications may be reviewed via email prior to a scheduled meeting, however certain applications may need to be discussed and approved at a scheduled meeting if there is debate among the members on an applicant's qualifications or other details. The Board also discussed holding meetings specifically to approve applications only. The issue may need further discussion to refine the approval process.

There was also a short discussion of an item discussed at the September meeting concerning the phrase "in, on, over and under... tidal wetlands" as it relates to what constitutes marine contractor services contained in Title 17-101 of the Marine Contractor statute. Several on the Board will research the matter further.

Board Activities and Financial/Budget Report

Mr. Blair gave an overview of licensing activities since the last meeting. There are currently 234 licenses issued. This accounts for several companies having multiple licensed individuals operating under the same license number. Mr. Blair has scheduled test dates once a month until the end of April 2019 and will continue with once monthly testing. Mr. Blair is receiving 2-3 applications per month.

Mr. Blair advised the Board that renewal applications were sent to approximately 110 current licensees for renewal of 2 year licenses issued in January of 2017. Mr. Blair has received about 40 renewals to date and expects more in the coming days as the response date is December 11th.

Mr. Blair gave an overview of the present income/expense situation. There are few expenses at this point, mostly copying and mailing costs as well as administrator salary. The Licensing Board is well funded at this point due to the receipt of license renewal fees for licenses expiring this month as note previously.

There was a brief discussion of training opportunities to meet the 12 hour requirement. Mr. Blair stated that he has had a discussion with Maryland Environmental Service (MES) staff in October about developing an on-line training module that could be posted on the MCLB webpage where contractors could get 6 hours of credit for taking an on-line course relating to marine contractor topics. MES is gathering information on training topics/format and costs associated with the production of the training program. Mr. Blair will report back once he has more information. Mr. Blair stated that MDE Tidal Wetland Division staff presented training in November concerning new tidal wetland application procedures to marine contractors. Approximately 100 contractors attended the training.

Salvage Operations Relative to Marine Contractors License

There was a brief discussion concerning what type of salvage operations would require a marine contractor's license. There was general agreement that if a tidal wetlands approval was needed for salvage work then a contractor's license would be needed. However there may be other situations where salvage work does not require to be authorized by a tidal approval.

Review of Current Pending License Applications

The Board reviewed three license applications which have been received since the last Board meeting. One application was found to require more information from the applicant to be considered complete due to lack of documentation of work experience. Mr. Blair will request further information from the applicant. The Board concluded that the other two applications were complete and recommended the applicants sit for testing.

Recent Contractor Complaints

Mr. Blair advised the Board members on recent complaints that he has received regarding contractors. The complaints were submitted by contractor clients or other citizens. There have been 6 complaints received since the last meeting. All were resolved without Board involvement. Two complaints concern contractors performing marine work without a license. MDE Compliance Program addressed the issue or has been notified. One complaint concerned a contractor operating an office/storage area in a residential area, the complainant was advised that the County Zoning Authority should handle the issue concerning possible zoning violations. Two concerned a contractor and a customer not in agreement with contractual issues which were handled by the parties involved in the contract.

Continuing discussion on "Similar Experience" as stated in Title 17

Mr. Murtha stated that, three Board members met in November to discuss the similar experience issue. They agreed that a good way to handle the experience issue is to have a tiered license system where certain similar types of work would have a specific and unique license category with restrictions on what work the contractor could perform. More discussion will be needed to finalize. The Board members agreed that a law or regulatory modification would be necessary to implement the system. A short discussion of the status of the draft regulations followed. Apparently there has

been no action to date on the draft regulations. The Board members agreed that the regulations may need modification prior to finalizing.

ADJOURNMENT

Mr. Rehbein asked for a vote for adjournment. The Board voted and approved adjournment at 1:50 pm. The next meeting is scheduled for January 2019.