

***MARINE CONTRACTORS LICENSING BOARD***

***c/o Maryland Department of the Environment***

1800 Washington Blvd., Suite 430, Baltimore, MD 21230

(800) 633-6101, ext. 3249

**MARINE CONTRACTORS LICENSING BOARD**

**MEETING MINUTES – September 12, 2016**

**Location:** DNR Critical Area Commission Meeting Room, Annapolis, MD

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| **BOARD MEMBERS PRESENT**  | **OTHERS PRESENT** |
| Milton Rehbein, Chairman | Thomas Blair, Board Administrator |
| Jordan Loran, DNR Representative |   |
| Andrew May MDE Representative-Designee |  |
| Douglas Suess, At Large Member |  |
| Joshua Schleupner |  |

**CALL TO ORDER**

Board Chairman, Milton Rehbein called the meeting to order at 10:05 a.m. at DNR Critical Area Commission Meeting Room in Annapolis, MD. Five Board members (including MDE designee, Andrew May), and the Board’s Administrator were present.

 **AGENDA REVIEW**

The Board reviewed the agenda for the meeting which included review of minutes from the August 15, 2016, meeting, review of testing fees and dates, applications received to date, Board finances, status of filling Southern Md Board position, format of License document, and status of draft regulations.

**REVIEW OF PRIOR MEETING MINUTES**

Board Members reviewed the draft minutes of the August 15, 2016 meeting; the meeting minutes were voted on and approved by the Board.

**OLD BUSINESS**

**Manual Mailing/Test locations**

Mr. Blair updated the Board on test fee payments received to-date from the applicants. Mr. Blair stated that the applicants that have paid were sent registration forms for the seven test dates at MDE building in Baltimore and 3 at other locations. The Board members had concerns that people would show up at the testing sites without payment of the fee. The Board agreed that it may be a good idea to send an email to applicants that the fee was required prior to signing up for the test. The Board also agreed that Mr. Blair should send a letter or email to registrants that have not applied for licensure, notifying them that they will need to be licensed to do work after 1/1/17.

Mr. Rehbein asked if anyone had heard from any contractors about the manual and test. Mr. Schleupner stated that he had heard from several contractors that were concerned with the number of pages of the manual and the applicants were concerned about passing the test. Mr. Schleupner said that he thinks he allayed most of the fears about the test. The Board members reiterated that on the day of the test the basic protocol for applicants to test should be that they need to show a photo Id, sign in, have all fees paid prior to the test and use only paper copies of the manual for reference during the test.

**NEW BUSINESS**

**Administrator work hours**

Mr. Rehbein stated that the administrative position contract for the Board only allows the admin person to work no more than 20 hours per week and there may be instances when the admin person works over that number of hours. Mr. Rehbein suggested Mr. Blair discuss the possibility of the contract allowing longer work hours if needed with the MDE staff. Mr. Blair will research and get back to the Board.

**Incomplete Applications Return and Decision on Request for Alternative Insurance Options**

Mr. Blair advised the Board that 4 license applications had been returned to the applicants due to incomplete applications (missing insurance info or questions not answered). Mr. Blair stated that a contractor had requested to use a alternate form of insurance other than commercial liability insurance. Board Council advised that the law did not allow for this. A letter was sent to the contractor advising that he must have standard comprehensive liability insurance to apply for licensure.

**Draft Marine Contractor Regulations**

The draft regulations are to be discussed at a meeting on September 20th or 21st. All currently registered contractors are to be invited via email. Mr. Blair stated that the present draft regulations have been modified from the draft that was presented to the Board at the last meeting. The Board legal counsel and MDE staff have determined that the exclusion for work done that does not “contact” the water is not in keeping with Title 17 so it has been removed. The Board members were concerned that previous decisions excluding work done above the water such as paving may require a Marine Contractors License. Mr. May believes that going forward the Board could still rule that certain forms of work did not require licensing. Mr. Loran requested the Board council review the section concerning solicitation prior to finalizing the draft regulations. The Board made a motion to approve MDE moving forward with the information meeting and promulgation of the regulations with present modifications.

**License Document Format**

Mr. Blair stated that he met with MDE IT staff. The IT staff will design a program to print the licenses and can be printed on MDE Xerox copiers. The format of the license can be whatever the Board decides within certain parameters and does not have to have the MDE logo on it.

**Southern Maryland Contractor Position and Replacement of DNR appointee**

MDE staff made one recommendation to the MDE Secretary for the Southern MD position, but there is no response from the Secretary’s office on the appointment yet. Mr. Loran stated that he will be retiring in July 2017 and he has recommended a person in DNR to fill the position.

**Continuing Education**

Mr. Rehbein stated that he would like to schedule a training session concerning wetland permitting with the MDE and Corps staff presenting to help fulfill the continuing education requirements for the licensees. Mr. Blair will look into a training seminar in 2017. Mr. Blair also stated that the Board will be fairly open-ended as far as what can be accepted as training credits.

**New Open Meeting Requirements**

Mr. Blair advised the Board that new Open Meeting requirements will take effect starting October 1, 2016. He will take appropriate action to assure compliance.

**ADJOURNMENT**

Mr Rehbein requested adjournment of the meeting at 12:12 pm. A motion to adjourn by Board members was made and the motion passed.