



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

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MARINE CONTRACTORS LICENSING BOARD
Meeting Minutes – March 11, 2019

Location: DNR Critical Area Commission Office, Annapolis, MD

BOARD MEMBERS PRESENT

Milton Rehbein, Chairman

Andrew Hanas, DNR Representative

Josh Schleupner, Shore Contractor Rep.

Chris McCabe, At Large Rep.

Robert Murtha, SoMD Rep

OTHERS PRESENT

Thomas Blair, Board Administrator

CALL TO ORDER

The meeting was called to order by Mr. Rehbein at 10:06 AM at the Critical Area Commission office, Annapolis, MD. Five Board members were present, as well as the Board's administrator and legal counsel.

AGENDA REVIEW

The Board reviewed the agenda for the meeting which included review of January 15, 2019 minutes, review of licensing activities, budget review, and final version of the Board interpretation of definition of similar experience relating to marine contracting, continue review of draft license or application suspension policy and review and discussion of pending license applications received as well as recent complaints concerning licensed marine contractors.

REVIEW OF PRIOR MEETING MINUTES

Board Members reviewed and approved by vote the draft January 15, 2019 meeting minutes.

Board Activities and Financial/Budget Report

Mr. Blair gave an overview of licensing activities since the last meeting. There are currently 244 licenses issued. This accounts for several companies having multiple licensed individuals operating under the same license number and for contractors that did not renew in December 2018. The Board members requested that certified letters be sent to contractors that did not relicense in 2019. The Board briefly discussed how to handle contractors that may wish to relicense at a later date. The Board agreed that more scrutiny will have to be used to approve an application to relicense in the future.

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 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 December 2018. There was a brief discussion among the Board members concerning the amount needed to be

maintained in the fund to support future Board administrative needs and AG's fees for any legal concerns that may come up in the future.

Test Preparation Study Manual Updates/Tiered License

The Board briefly discussed updating the manual to be more appropriate for contractor use in the future. This would be necessary if the Board adjusts the license program to a tiered approach which would account for the varied types of contracting work that is done in tidal waters. If the license issuance is changed then the Board would need to edit the manual in the future to accommodate changes. Board members suggested getting Virginia Institute of Marine Sciences to review the manual content to see how it could be improved.

As in past discussions, the Board 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. The concern is that issuance of a MC license allows a contractor that may only do underground utilities or revetments could do all types of marine work based on the license. There was a motion proposed by Mr. Murtha to have the Board investigate changing the present system of one license covering all marine contractor activities, to a tiered system based on skills, experience and/or other variables that would be sound to support developing a tiered marine contractor license in Maryland. The Board approved the motion although the members realize that to follow through with the proposal a change in the wording of Title 17 would be needed.

Equipment Marking with Board Supplied License Magnetic Signage

Mr. Murtha showed a prototype of a magnetic sign he produced to affix to his own company equipment with the marine contractor license number shown. Mr. Murtha suggested that the Board could produce the signs and distribute them to all licensed contractors so that the required equipment license marking would be standardized. Board members agreed and asked Mr. Murtha to research suppliers and costs.

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

An updated version of the "similar experience" working paper drafted by three Board members was reviewed and the Board agreed that it would be used by the Board in the future to determine if an applicant met the requirements for licensing.

Draft Denial, Refusal to Renew, Suspension or Revocation of a License Policy

The Board reviewed the current draft of this policy and tabled discussion until the Board could discuss with the Board Counsel the policy and how it would be carried out. Some on the Board believe it may be too restrictive and time consuming to administer.

Review of Current Pending License Applications

The Board reviewed four license applications which have been received since the last Board meeting or were held over for requested additional information. Please note: Mr. Schlepner recused himself on final decision on one applicant. One application was found to require more information from the applicant to be considered complete due to conflicting or unclear information submitted. Mr. Blair will request further information from the applicant and submit to the Board at a later date for approval. The Board concluded that the other three applications were complete and recommended the applicants sit for testing.

Recent Contractor Complaints

Mr. Blair advised the Board members that a complaint that a contractor was operating without proper license signage on equipment and questions concerning insurance coverage. The contractor was contacted and the contractor subsequently supplied photos showing equipment marked with the license number. The contractor advised that the insurance documentation supplied to the board is accurate for the business at the present time. The information was supplied to the complainant.

Maryland Environmental Service On-line Training Application Proposal

Mr. Blair presented the Board with a proposal from Maryland Environmental Service (MES) to produce an on-line training application that will be available to contractors to fulfill the 12 hours of training required each 2 year license cycle to renew their license. The Board discussed the merits of the proposal and decided to have the administrator move forward and finalize the proposal by MES.

ADJOURNMENT

Mr. Rehbein asked for a vote for adjournment. The Board voted and approved adjournment at 1:00 pm. The next meeting is scheduled for April 8, 2019.