



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

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MARINE CONTRACTORS LICENSING BOARD
Meeting Minutes –March 9, 2020

Location: MD DNR Critical Area Commission, Annapolis, MD

BOARD MEMBERS PRESENT

Andy Hanas, DNR Representative
 Tammy Roberson, MDE Rep Designee
 Josh Schleupner, Shore Contractor Rep
 Douglas Suess, At Large Representative

OTHERS PRESENT

Matthew Standeven, Board Counsel
 Thomas Blair, Board Administrator

CALL TO ORDER

The meeting was called to order by Mr. Schleupner, (acting chair in place of Mr. Rehbien) at 10:00 AM at the DNR Critical Area Commission meeting room, Annapolis, MD. Four 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 includes: review of licensing activities, current budget, review of pending Title 17 revisions, update of on-line training contract, and review and discussion of pending license applications received and any recent complaints concerning licensed marine contractors.

REVIEW OF PRIOR MEETING MINUTES

Board Members reviewed and approved by vote the draft December 9, 2019 meeting minutes.

Board Activities and Financial/Budget Report

Mr. Blair gave an overview of licensing activities since the last meeting. Renewals of licenses expiring 12/31/19 are completed. However there are three licensees that have paid the required renewal fee, but have not submitted required supporting documents for the renewal application to be considered complete. The Board members discussed the issue and recommended that certified letters be sent to the applicants requesting added info and if not received fee will be returned and license revoked. Mr. Blair continues to process periodic mid-year licenses for contractors that were licensed after the start of 2017. Test dates for new applicants are scheduled once a month up to April 2020. Mr. Blair is receiving 1-2 applications per month.

Ms. Roberson stated that she was sworn in as a Board member in January and is now a voting member of the Board.

Mr. Blair gave an overview of the present income/expense situation. The Licensing Board is well funded at this point. Based on the assessment, Mr. Blair conducted the reduction from \$600 to \$550 per license will keep an adequate fund balance.

MES is progressing with work on the on-line training course to allow contractors to complete a part of the continuing education requirement. The projection is to have the training modules ready by early spring 2020 and will be posted on the MDE MCLB webpage at that point. The course will credit users 6 hours of training.

Revisions of Title 17 and draft Regulations

Mr. Blair gave a summary of the status of the legislation proposed by the Board for the tiered license system and to allow oversight of Board activities by MDE. At present the legislation is known as Senate Bill 074. Mr. Blair and MDE representatives testified before the Senate Environmental Matters Committee in support of the Bill. One question was raised by Senator Simonaire concerning the tiered license system and how it would affect contractors who are presently licensed. Mr. Blair and MDE staff met separately with the senator and gave an explanation of the tiered system and how it would be implemented through regulation. It was noted that the tiered system would be based on the "similar experience" guidance document accepted by the Board at a previous meeting. The tiered system details will be elaborated in new regulations, currently in draft form. The Board members briefly discussed how the tiered system may be implemented through use of credentials submitted to the Board and possible separate tests administered for each tier or based on gross revenue of a contracting business. The Board members agreed that further discussion on the subject should be done with the Marine Contractors Association for details on the tiers and how to categorize each contractor.

Mr. Blair advised that SB-074 was passed by the Senate and presented to the House for review. House Delegate Clark proposed an amendment to the bill to exclude county and municipal employees from the license requirements when performing work in the course of job responsibilities with the government organization. MDE countered with an amendment to keep the exclusion of federal employees and add exclusions for certain activities for State of Maryland and local government employees from the license requirements. A committee hearing is scheduled to discuss the bill later in the month.

Review of Current Pending License Applications

The Board discussed four recent applications. One application was approved based on recommendations by a former employer as allowed by the present license application form approved in 2016. There was a discussion as to whether recommendations should be allowed for applicants without other background information such as IRS income documents. The Board voted on a motion to revise the application form to excluding former employer recommendations and make several other changes to better assess an applicant's qualifications. Two other applications were approved based on the representative's experience in marine contracting. On the last application, the Board requested Mr. Blair the applicant supply additional information concerning projects completed noted in the application and the representative's work history with former employers to verify the applicant's experience. Mr. Blair will forward the added information once it is received.

Recent Contractor Complaints

Mr. Blair advised the Board that he received one referral from the MDE, WSA compliance program that a shore erosion control/beach nourishment project was completed by an unlicensed contractor that performed the work as a subcontractor to a licensed contractor. The Board advised Mr. Blair to send a certified letter to the contractor advising of the license requirements.

ADJOURNMENT

Mr. Schlepner asked for a vote for adjournment. The Board voted and approved adjournment at 12:32 PM. The next meeting is scheduled for April 13, 2020.