



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

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**MARINE CONTRACTORS LICENSING BOARD**  
**MEETING Minutes –August 14, 2017**

**Location:** DNR Critical Area Commission Office, Annapolis, MD

**BOARD MEMBERS PRESENT**

Milton Rehbein, Chairman, Northern MD Rep  
 Andrew Hanas, DNR Representative  
 Chris McCabe, Vice Chair, At Large Rep  
 Douglas Suess, At Large Rep  
 Robert Murtha, SoMD Rep  
 Joshua Schlepner, Eastern Shore Rep

**OTHERS PRESENT**

Thomas Blair, Board administrator  
 Matthew Standeven, Board legal counsel

**CALL TO ORDER**

The meeting began at 10:02 AM at DNR Critical Area Commission offices, Annapolis, MD. Six 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 December 12, 2016 minutes, March 13 and May 8, 2017 notes, review of licensing activities, status of draft regulations, and budget income and expenditures review, mailing of letter to county officials concerning Board interpretation of license requirements for solicitation for marine work, new license applications received and projected November training for continuing education requirements.

**REVIEW OF PRIOR MEETING MINUTES**

Board Members reviewed the draft December 12, 2016 meeting minutes and March 13 and May 8, 2017 notes. The December minutes were approved.

Mr. Rehbein advised the Board members that he had taken training in the Open Meetings Act requirements as well as conflict of interest training from the Maryland State Ethics Commission. Mr. Rehbein gave a short review of the Open Meetings Act requirements that the Board must adhere to.

There was a brief discussion of the license fee structure with regard to whether the fees will be adequate to support the Board day to day activities. The Board members decided to take a "wait and see" approach and will review the issue of fees after a year or so of licensing. Mr. Blair noted that the Board fund balance would be adequate for several years, but fees may need to be looked at down the road.

**Board Activities and Financial/Budget Report**

Mr. Blair gave an overview of licensing activities since the last meeting. There are currently 206 licenses issued. Testing is scheduled for once a month to the end of 2017. Licensing has slowed with 1-2 applications being submitted and 1-2 tests 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. Income is also slowing due to fewer contractors being tested. The Licensing Board is well funded until the next rotation of license renewals in December 17-January 18.

### **Contractor Continuing Education**

There was a discussion of acceptable continuing education to fulfill the 12 hours required to renew a license. The Board asked Mr. Murtha to put together a preliminary list of training that would meet the criteria related to marine contracting. Mr. Rehbein suggested the Board should present Red Cross first aid and CPR training for contractors in the future. Along the same lines Mr. Blair stated that he is planning 6 hour training sessions for contractors in November to partially fulfill the continuing education training required for license renewal. The training will cover federal and state tidal wetland regulatory issues as well as overview of shore erosion control techniques. Once a list of acceptable training is agreed on by the Board; Mr. Blair is to post the list of continuing education on the MCLB webpage.

### **License Renewals**

Mr. Blair stated that one year licenses will expire December 2017 and he will be sending renewal paperwork to all licensees with December 2017 expiration dates. These licenses will subsequently be renewed for a two year period. The Board discussed if a licensee doesn't pay the fee in a timely manner. Mr. Murtha suggested that the license should not be back-dated if the fee is delinquent and after 6 months of non-payment then the contractor may need to re-test and pay the fee if he or she wants to be re-licensed. The Board members discussed the possibility of on-line fee payments and requested Mr. Blair discuss this with the MDE fiscal staff to determine if it is a possibility.

### **Discussion of Alternatives for the Liability Insurance Requirement**

Mr. Standeven advised the Board that a letter had been submitted to the Attorney General's office from a citizen that is advocating for an Amish contractor. The contractor previously applied to the Board to get a marine contractor license, but due to lack of commercial liability insurance was advised that he needed insurance for application approval. The Attorney General's office advised the citizen that under Title 17 there was no allowance for alternative types of insurance. There was a discussion on what would be considered as appropriate insurance and whether the law or draft regulations should be changed to allow for alternative insurance for contractors. The Board also discussed whether there were liability implications for the Board if the Board requested an incorrect insurance as in "General Liability" vs "Marine General Liability" There was no agreement on the issue.

### **ADJOURNMENT**

Mr. Rehbein asked for a vote for adjournment. The Board voted and approved adjournment at 11:30 AM.