



MARINE CONTRACTORS LICENSING BOARD

c/o Maryland Department of the Environment

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MARINE CONTRACTORS LICENSING BOARD

Meeting Minutes – October 16, 2023

Note: The second Monday in October fell on Columbus Day. The October meeting was rescheduled and held this day.

Location: Virtual Meeting via Google Meet

BOARD MEMBERS PRESENT

Milton Rehbein, Chairman, Northern MD Rep
Robert Murtha, SoMD Rep
Tammy Roberson, MDE Rep
Doug Sues, At Large Rep
Kelly Wright, DNR Rep
Dani Racine, At Large Rep
Daniel Lerian, Eastern Shore Rep.

OTHERS PRESENT

Matthew Standeven, Board Counsel
Mike Eisner, Board Administrator

CALL TO ORDER

The meeting was called to order by the Board's Chairman at 10:02 am. All seven Board members as well as the Board's Counsel and Administrator were in attendance.

REVIEW OF PRIOR MEETING MINUTES

The draft meeting notes from September 11, 2023 were not yet available for review.

AGENDA

A Motion was made to Close the meeting to discuss ongoing Board and MDE litigation. A vocal roll call was made of Board members on this Motion. All seven Board members voted Aye in favor of this Motion to close the meeting.

It was stated that the reason the meeting was to close was to discuss the ongoing litigation by Encompasses Enterprises. The Statutory authority to have this closed session was stated: "To consult with counsel to obtain legal advice on a legal matter."

With this the open meeting ended and moved into a closed session at 10:14 am. The Closed Session ended at 11:09 am and moved back into the open meeting.

ADJOURNMENT

The Board voted and approved adjournment at 11:18 am. The next monthly Board meeting is scheduled for November 13, 2023, at 10 AM and will be Virtual via Google Meet.

WRITTEN STATEMENT FOR CLOSING A MEETING
UNDER THE OPEN MEETINGS ACT

Date: 11/16/2023 Time: 10:02 ^{AM} Location: Virtual (Google Meet) Motion to close meeting made by: Doug Sues

Seconded by Tammy Roberson Members voting in favor: ALL (7 Board Members) Rehbein, Roberson, Murtha, Sues, Wright, Racine, Lerman Opposed: 0 Abstaining 0 Absent 0

STATUTORY AUTHORITY TO CLOSE SESSION, General Provisions Article, §3-305(b) (check all that apply):

- (1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) To consider the investment of public funds;
- (6) To consider the marketing of public securities;
- (7) To consult with counsel to obtain legal advice on a legal matter;
- (8) To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) To conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including: (i) the deployment of fire and police services and staff, and (ii) the development and implementation of emergency plans;
- (11) To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

§3-305(b) Discuss ongoing litigation by Encompass Enterprises

§3-305(b) () _____

§3-305(b) () _____

This statement is made by Michael Eisner, Administrator for Board Chairman, Presiding Officer: Milton Rehbein, III
SIGNATURE