

**STATE OF MARYLAND
BOARD OF FORESTERS
BUSINESS MEETING MINUTES
OCTOBER 15, 2018**

LOCATION: 500 North Calvert Street
Baltimore, Maryland 21202
Third Floor Conference Room

**MEMBERS
IN ATTENDANCE:** Wade Dorsey-Chair
Michael Huneke
John Markovich
Daniel Rider
Jill Rhyne-Grey

MEMBERS ABSENT: W. Allen Jones
Ann Sherrard

**DLLR OFFICIALS
/STAFF:** Shanai Jordan, Executive Director
Christopher Dorsey, Assistant Executive Director
Sloane Fried Kinstler, Assistant Attorney General
Alicia Coar, Administrative Specialist

The October 15, 2018, meeting of the Maryland Board of Foresters was called to order at 10:15 a.m.

Upon a motion (I) by Mr. Jones and seconded by Mr. Huneke, the minutes from the July 23, 2018 meeting were approved unanimously, with corrections.

Chairman's Report

No Report of the Chairman.

Executive Director's Report

No Report for discussion.

License Applications

Counsel advised the Board that, moving forward, all license applications must be reviewed by the Board in a closed session to protect the privacy of individual applicants in accordance with

Gen. Prov. Art., Md. Ann. Code, § 3-305. Counsel explained that even when no members of the public are present to observe the proceedings of a public body, the body, such as the Board must, in compliance with law, convene a closed meeting and the minutes thereof must reflect the reason for the closed session.

CLOSED SESSION

Upon a motion (II) by Ms. Rhyne-Grey, seconded by Mr. Rider, and unanimously carried, the State Board of Foresters entered into a closed session at 10:20 a.m. in the Third Floor Conference Room, 500 N. Calvert Street, Baltimore, MD 21202, pursuant to § 3-305 (b)(2) and (7) of the Gen. Prov. Art., Md. Ann. Code, in order to protect the privacy and reputation of license applicants and to obtain the advice provided by Counsel regarding license applications.

The Board reviewed one (1) license application.

Upon a motion (III) by Mr. Rider, and seconded by Mr. Huneke, the Board voted on one (1) application for Foresters. The Board unanimously accepted the Licensure for Foresters.

OR-01, upon a motion (IV) by Mr. Markovich, and seconded by Mr. Rider, the Board unanimously approved to grant the application for a Forester license to Robert Schwartz at 10:39 a.m.

Upon a motion (V) by Mr. Markovich, and seconded by Mr. Rider, the Board voted to leave the closed session at 10:42 a.m.

The Board reconvened its business meeting at 10:43 a.m. Upon motion (VI) was made by Mr. Rider, seconded by Ms. Ryne-Gray, and unanimously carried that the Board accept the decisions rendered in the closed session.

New Business

Counsel requested that the Board consider language for a proposed regulation requested by the Department of all Occupational and Professional Licensing Boards and Commissions pertaining to a licensee's or applicant's obligation to respond to a written communication form a board. Ms. Kinstler distributed a document containing the text for the proposed regulation, COMAR 09.29.01.06. Mr. Rider discussed the reason for the new regulation. Ms. Kinstler explained that, if adopted, the Board would have the authority to enforce a requirement that an individual respond in writing to the Board and the discretion to pursue administrative action if an individual fails to comply. This would assist the Board in handling complaints. A licensee who fails to respond to a complaint could prevent a board from making a determination on the merits of a complaint and timely handle the matter.

Upon Motion (VII) by Mr. Huneke, and seconded by Mr. Markovich, and unanimously carried, the Board voted to propose action on COMAR 09.29.01.06.

Old Business

No Old Business for discussion.

Complaint Committee Report

No Complaint Committee Report.

Counsel's Report

Counsel explained that as a result of amendments to the Open Meetings Act, moving forward, any time a board must close a meeting to discuss a matter reserved for a closed meeting, in compliance with Gen. Prov. Art., Md. Ann. Code, § 3-305, it must state the reasons therefore. Further, the Open Meeting Act has removed the reference to "executive session" as the term is believed to evoke mistrust by the public of a regulatory body's proceedings. Accordingly, the Board's consideration of license applications and other matters appropriate under Gen. Prov. Art., Md. Ann. Code, § 3-305 should be conducted in what is referred to as a "closed" session or meeting.

Adjournment

There being no further business, by a motion (VII) by Mr. Huneke, and seconded by Mr. Markovich, and unanimously carried, the Board adjourned the meeting at 10:50 a.m.

NEXT MEETING

January 28, 2019 - 500 North Calvert Street, Third Floor Conference Room, 10:00 AM

With corrections Without corrections

Signature on File

1/28/19

Chairman

Date