**Elevator Safety Review Board / Business Meeting Minutes**

**February 23, 2024 TIME: 10:00 a.m. – 12:00pm**

**LOCATION: Held virtually Google Meet**

**Phone Information:**

**PIN: 546 397 236 #‬**

**Board Members Attending**

Ed Hord, Chairman, Board Member

Jason Danker, Board Member

Mike Moran, Board Member

Tom Lindsay, Board Member

Bill Hosea, Board Member

Charles Meeks, Board Member

Devki Virk, Commissioner, Division of Labor and Industry

**Department of Labor Staff Attending**

John Bull, Executive Director, Mechanical Boards

Sloane Kinstler, Assistant Attorney General

Dave Dearborn, Program Manager, Division of Labor and Industry

Daniel Gutierrez, Acting Chief Elevator Inspector, Division of Labor and Industry

Antoinette Thembi, Board Administrative Officer

**Guests Attending**

Steven Redman

**Roll Call**: Conducted by John Bull, Mechanical Board Executive Director, Department of Labor

**CALL TO ORDER**

With a quorum established, Ed M. Hord, Board Chairman, called the Business Meeting of the Elevator Safety Review Board to order at 10:06 a.m.

**APPROVAL OF MINUTES**

Board members reviewed minutes of the Business Meeting held October 27, 2023. Mr. Moran requested a correction to the meeting attendance to list him as absent and correct the participants in the motion to adjourn listing Mr. Moran.

Mr. Danker moved to accept the minutes as corrected, listing Mr. Moran as absent. Mr. Hosea seconded the motion. The Board voted to approve the correction to the minutes with all voting in favor, except Mr. Moran, who abstained.

Mr. Moran requested that the Board withhold approval of the corrected October 27, 2023 Board Meeting minutes until they have reviewed the corrections. Approval will be voted upon at the April 26, 2024 Board meeting.

**COMPLAINT COMMITTEE**

Executive Director Bull advised there were no reported complaints.

**APPLICATION REVIEW COMMITTEE**

Executive Director Bull reports there were no applications submitted for review by the Board.

**PSI EXAM STATISTICS**

There was one (1) exam for October 2023 in which the candidate passed. There were no exams given for the months of November and December 2023. A total of four (4) exams were administered in 2023. Of those, three (3) candidates passed and one (1) failed. There were no exams reported for January 2024.

Mr. Lindsay questioned why there are not more reported passing exams, noting many applicants qualify by reciprocal licenses, employment history, and certified apprenticeships.

Mr. Meeks moved to review qualifying passing standards of the PSI exam at the next scheduled Board meeting on April 26, 2024. Mr. Danker seconded the motion, which was passed by a unanimous vote.

**CORRESPONDENCE**

There was no correspondence to be reviewed.

**OLD BUSINESS**

Elevator Safety Review Board Pamphlet

Executive Director John Bull re-introduced the PowerPoint rough draft of the proposed Elevator Safety Review Board information pamphlet. Mr. Bull stated some concerns by the Division of Labor and Industry (DLI) had arisen about the accuracy of information contained therein and asked Board counsel to address the matter. Counsel Kinstler pointed out inaccuracies in the pamphlet text. She referred to existing statutory and regulatory provisions governing services provided by individuals licensed by the Elevator Safety Review Board. Counsel Kinstler suggested certain revisions including:

* Statements should be supported by citation to applicable statutory and COMAR regulations;
* Redundant statements should be removed;
* Clear instructions on how to correctly file a complaint with the Elevator Safety Review Board of the Maryland Department of Labor

Counsel advised the Board that from time-to-time, an occupational or professional licensing program has issued a document referred to as a “Compliance Advisory” to provide clarification of certain laws or regulations governing the program. Counsel suggested that, rather than a “pamphlet,” the Board consider issuing such a document to licensees and industry stakeholders.

Chairman Hord requested volunteers to serve on a Compliance Advisory Committee to develop and recommend to the Board content for an industry Compliance Advisory. Board members Mr. Danker and Mr. Meeks volunteered to serve on the committee. It was suggested that Daniel Gutierez serve on the Committee to provide input on behalf on behalf of DLI.

Mr. Moran moved to establish a Compliance Advisory Committee consisting of Mr. Danker, Meeks, and Gutierez to develop content and make recommendations to the Board for a Compliance Advisory. Mr. Danker seconded the motion. The vote was approved by a majority, with all members voting in favor except Mr. Lindsay, who abstained.

**NEW BUSINESS**

Elevator Safety Review Board Budget

Mr. Lindsay inquired about Executive Director Bull’s review of the proposed 2025 budget. Mr. Bull presented the tentative budget. Board members compared the pending 2025 budget to the 2024 budget. Mr. Bull reiterated for Board members his efforts to increase revenue for the Elevator Safety Review Board by increasing current application fees. Mr. Bull explained that, as the Board decided not to increase fees, there will not be an increase of funding for the Elevator Safety Review Board. The window of opportunity for the Department to approve a legislative revenue increase has closed. Counsel Kinstler inquired whether the Board has its fees set by statute or regulation; if the latter, she suggested seeking approval to propose certain increases by regulation.

Registration Statistics

Board Member Mr. Moran requested full demographic of all registered Elevator Safety Review licensees and current applicants. Mr. Bull will provide the information via email.

**Board Reports**

Executive Director Report

Executive Director Bull reported that he is currently working with the Governor’s Office to try and fill the Board vacancies. The Board currently has a vacancy for a Consumer Member, Municipal Member, and Building Owner. He mentioned that Mr. Redman, in attendance, is a prospective consumer member. He also informed the Board of the retirement of Kease Dillman, the Chief Elevator Inspector. Daniel Gutierrez has been appointed Acting Chief Elevator Inspector. Mr. Bull also reminded Board members that the next meeting of the Board will be in person for the Board members, but virtual for the public.

Mr. Bull also advised that he will assist the Compliance Advisory Committee with scheduling meetings.

Chairman Report

There was no report offered from Chairman Ed Hord

Wind Turbine Committee Report

There was no report from the Wind Turbine Committee.

Counsel Report

No report offered from Counsel.

**Adjournment**

With no other business to consider, Chairman Hord suggested adjournment.

Mr. Danker made a motion to adjourn the meeting, seconded by \_\_\_\_\_\_\_\_\_\_\_. Board members voted unanimously to adjourn the February 23, 2024 meeting at 11:02 a.m.

The next Elevator Safety Review Board meeting is scheduled in person at the Department of Labor on April 26, 2024.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_**

**John Bull Date**

**Executive Director**

**Signed as voted and approved by the Board on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**