

**EXECUTIVE SUMMARY**  
**Board of Pilot Commissioners**

**I. General Information**

The board met on April 24-25, 2003, at the Inter-Continental Hotel in Miami, Florida. Attendees included:

Commissioner Robas, Chair  
Commissioner Frudaker  
Commissioner Buffington  
Commissioner Winegeart  
Commissioner Sweeney  
Commissioner Leech  
Galen Dunton, Board Consultant  
Rivers Buford, Assistant Attorney General to the Board

Staff:           Anthony B. Spivey, Executive Director  
                  Gregory Spence, Government Analyst I

**II. Major Issues/Actions**

- The Finance Committee convened and reviewed the minutes from the January 9, 2003, committee minutes. The committee made an administrative correction to page seven to reflect the actual intent of the sentence. The finance committee also made requests for specific financial figures used by the department to report the status of the board. The specific request for information has been received and submitted for review by the department.
- The Finance Committee addressed the current pilotage assessment fee and voted to reduce the charge from 1% to 0.6% in order to reduce the amount of funds coming into the account in the event of future transfers to the working capital trust fund. The new rate will be effective July 1, 2003.
- The board discussed the consultant contract at length regarding the method of payment and terms under which the consultant should be paid. Currently, the consultant is paid for time traveled, travel expense, and for time attending the board meetings. The current base amount of the contract is \$30,000.00, which subsequently requires amendments prior to the end of the fiscal year to increase the contract because of work involved in consulting to the board.

- The board was presented with a possibility of providing for the consultant to work as an Other Personal Services (OPS) employee, thus eliminating the need to do amendments. The board rejected this proposal and requested the contract be reinstated under its current guidelines for payment for work done by the consultant.
- The board has requested that all quarterly reports stating allocation of hours by the staff to the board, be entered on the next agenda for review. The request was made for the current quarterly report and for the full report for fiscal years 01-02 and 02-03.
- The board reviewed and approved the minutes from the regular board meeting of January 10, 2003. Administrative corrections were made to the minutes by the board on pages 26, 39, and 40.
- The board expressed concern for the Port of Ft. Pierce that it could face a situation in which a pilot is not available because of the current health concerns of Captain Ergle. The board has requested openings to be announced for cross-licensed pilots from Ports of Palm Beach and Canaveral be issued for the Port of Ft. Pierce. The board consultant will start work immediately preparing a cross-licensed examination for the Port of Ft. Pierce. The Port of Ft. Pierce will be discussed on the July board agenda.
- The board reviewed the information supplied by the department regarding the background checks performed by the Coast Guard on applicants for a license. Based on the background checks performed by the Coast Guard, the board has requested the department not to do any additional background checks on candidates selected for Deputy Pilot positions.
- The board held annual elections as required by Section 310.042(1), Florida Statutes (F.S.). Victoria Robas was elected as Chair, and Jay Winegeart as Vice Chair.
- The board requested the prosecuting attorney to be present at its next meeting. Additionally the board has requested a response from the prosecuting attorney in the form of a stipulated agreement or a date when the two following cases will be heard; case number 99-08442 and case number 2000-06695.

## **Statute Rule Promulgation**

- The board requested staff to place on the next agenda for discussion Rule 61G14-12.002, Florida Administrative Code (F.A.C.), Definition of “Active Service”. The board has a concern in the event of a pilot being called to active duty for the military, his or her license may be jeopardized for lack of active piloting service as discussed by the rule. The board will discuss this issue in more detail to determine if adjustments are necessary to the rule.
- The committee instructed the board counsel to issue a notice of change to Rule 61G14-17.004, F.A.C. deleting the proposed change in subparagraph (5)(a)(b).
- The committee also instructed board counsel to delete from Rule 61G14-20.001, F.A.C., Deputy Pilots’ and State Pilots’ Physical and Mental Capabilities; the language “*of the latest revision*” listed in subparagraph (2)(c)2 of the rule. This change is related to guidance from the Joint Administrative Procedures Committee (JAPC) based on the new revision number for the form used by pilots to submit their physical status information to the department.

## **Action Items**

- Place on future agendas ethnic information regarding candidates taking examinations.
- Place on next July board agenda correspondence sent to Pensacola port authorities regarding the issues between Captains McGee and Schaffer.
- Order a plaque for board counsel Rivers Buford for service rendered to the board.
- The board chair Victoria Robas requested as an agenda item for the next meeting, the evaluation of the Executive Director.

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Anthony B. Spivey, Executive Director  
April 28, 2003