

EXECUTIVE SUMMARY

Pilotage Rate Review Committee

I. General Information

Meeting Type: General Business Meeting
Meeting Date: Wednesday, March 2, 2011
Meeting Location: Hutchinson Island Marriott Beach Resort and Marina
555 N.E. Ocean Boulevard
Stuart, Florida 34996

Attendees:

Jorge Viso, Interim Chair
Louis Boue'
Anthony Clemente
John Fernandez
John Fox
Matthew Sams
Thayer Smith

Robyn Barineau, Executive Director, Department of Business and Professional Regulation
(DBPR)

Elise Rice, Government Analyst, DBPR

Tim Dennis, Assistant Attorney General, Office of the Attorney General (OAG)

Tom Barnhart, Assistant Attorney General, OAG

Richard Law, Certified Public Accountant and Committee Consultant

Galen Dunton, Committee Consultant

Joe Brown, President, Florida Harbor Pilots Association

Steve Gasecki, Vice President, FHPA

Bill Wetzel, Fort Pierce Pilots Association

David Ulrich, Port Everglades Pilots Association

Ben Borgie, Canaveral Pilots Association

Joseph Sachs, Certified Public Accountant for the Fort Pierce Pilots Association

Ken Shields, President, Port of Fort Pierce and General Manager, Indian River Terminal
(IRT)

Philip Stickles, Atlantic Caribbean Line (ACL)

Mike Pennekamp, Attorney for ACL and IRT

Ken Roberts

Robin Riley, Court Reporter

II. Major Issues/Actions

- Mr. Tim Dennis, Assistant Attorney General, informed the Pilotage Rate Review Committee that he had received a proposed settlement offer from Mr. Mike Pennekamp, Attorney for ACL and IRT, and had an obligation to present it to the Committee, at a duly-noticed, public meeting. Mr. Dennis added that Captain Bill Wetzel, Fort Pierce Pilots Association, had not accepted the terms of the proposed settlement offer, and that the matter is currently scheduled for hearing before an Administrative Law Judge at the Division of Administrative Hearings for late April 2011. Finally, Mr. Dennis

recommended that the Committee reject the settlement agreement.

- Mr. Richard Law, Certified Public Accountant and Committee Consultant, gave an overview of the rate-setting process and the role of the Committee.
- After testimony from Captain Wetzell, Mr. Joseph Sachs, Certified Public Accountant for the Fort Pierce Pilots Association, Mr. Pennekamp, and Mr. Joe Brown, President of the Florida Harbor Pilots Association, the committee moved to reject the proposed settlement offer and proceed to hearing.
- The committee will conduct elections at their May meeting in Pensacola.

III. Legislation/Rule Promulgation

- There was no legislation or rule promulgation.

IV. Action Required

- Elections will be conducted at the May meeting in Pensacola.

Robyn Barineau
Executive Director
March 3, 2011