

**MINUTES OF THE MEETING  
BOARD OF PILOT COMMISSIONERS  
Hilton Garden Inn Jacksonville/Ponte Vedra  
45 PGA Tour Blvd.  
Ponte Vedra Beach, FL 32082  
904.280.1661  
Friday, January 18, 2019  
9:00 A.M. EST  
Unapproved**

**GENERAL BOARD BUSINESS**

**CALL TO ORDER**

Meeting was called to order by Chair Kurtz at 9:00 am EST

**Members Present:**

Commissioner Kurtz, Chair  
Commissioner Jaccoma, Vice-Chair  
Commissioner Assal  
Commissioner Benson  
Commissioner Cumings  
Commissioner Oatis  
Commissioner Phipps  
Commissioner Seuter  
Commissioner Wilkins

**Others Present**

Krista Woodard, Executive Director  
Clark Jennings, Pilotage Rate Review Committee Attorney  
Anne Ahrendt, Government Analyst  
Warren Husband, Florida Harbor Pilots Association  
Gretchen Winters, Florida Harbor Pilots Association  
Sam Stephenson, Florida Harbor Pilots Association  
Stephen Gasecki, Florida Harbor Pilots Association  
Ben Borgie, Florida Harbor Pilots Association  
Michael Villa, St. Johns Bar Pilots Association  
Nathan Cook, St. Johns Bar Pilots Association  
Barrie Snyder, St. Johns Bar Pilots Association  
Lee Adolph, St. Johns Bar Pilots Association  
Allen Thompson, Tampa Bay Pilots Association  
Mike Cunningham, Port Everglades Pilots Association  
Tom Panza, Panza Law for Florida-Caribbean Cruise Association  
Jennifer Graner, Panza Law  
Brittany Long, Radley Law Firm

**Others Present (continued)**

George Meros, Holland- Knight  
John Reoman, American Harbor and Dock Pilots Association  
Dan Ramsey, Florida Docking Masters Association  
Richard Pinsky, Balearia Caribbean /Akerman LLP  
Michael LeFleur, Seacor Island Lines  
Stan Kablick, MSC  
Fabrizio Vaccaro, MSC  
Michael De Costa, MSC  
Paris Penaherrera, MSC  
Jordan Cohen, Esq., Counsel for Crowley & King Ocean/WickerSmith  
Alan Twaits, Esq., Crowley  
Sal Menoto, Crowley

**APPROVAL OF MINUTES**

**Minutes of October 23, 2018 Meeting of the Board**

A motion was made by Commissioner Jaccoma to approve the October 23, 2018 minutes as written and seconded by Commissioner Phipps. Motion carried.

**DISCIPLINE**

**DBPR v. Brian Kevin Tahaney (Case # 2018-047445) –Settlement Stipulation – Prosecuting Attorney, Crystal Stephens**

A Motion was made to accept the stipulated settlement by Commissioner Jaccoma and seconded by Commissioner Phipps. Motion Carried.

**REQUEST FOR STATE PILOT EXAMINATION**

**Captain Michael Villa – St. Johns Bar Pilots Association** - A motion was made by Commissioner Cumings and Seconded by Commissioner Assal to approve Captain Michael Villa to sit for the State Pilot Examination. Motion carried.

**Captain Brett Monthie – Tampa Bay Pilots Association** - A motion was made by Commissioner Assal and Seconded by Commissioner Oatis to approve Captain Brett Monthie to sit for the State Pilot Examination. Motion carried.

**Captain Scott Blohm – Biscayne Bay Pilots Association** - A motion was made by Commissioner Phipps and Seconded by Commissioner Benson to approve Captain Scott Blohm to sit for the State Pilot Examination. Motion carried.

**Captain James Prah** – **Biscayne Bay Pilots Association** - A motion was made by Commissioner Benson and Seconded by Commissioner Cumings to approve Captain James Prah to sit for the State Pilot Examination. Motion carried

**MODIFICATION OF CHART DESCRIPTIONS-**

**Port of Palm Beach:** A motion was made by Commissioner Assal and seconded by Commissioner Cumings to approve the Port of Palm Beach chart description modifications. Motion carried.

**Ports of Jacksonville/Fernandina:** A Motion was made by Commissioner Benson and seconded by Commissioner Jaccoma to approve the Ports of Jacksonville/Fernandina chart description modifications. Motion carried.

**Ports of Tampa Bay:** A motion was made by Commissioner Oatis and seconded by Commissioner Cumings to approve the Ports of Tampa Bay chart description modifications. Motion Carried.

**REVIEW AND APPROVAL OF APPLICANTS FOR DEPUTY PILOT OPENINGS FOR PORT CANAVERAL, PORT EVERGLADES, PORT OF PALM BEACH, PORT OF PANAMA CITY AND PORTS OF TAMPA BAY**

**PORT CANAVERAL**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for Port Canaveral: Trevor Mark Cardin, Nathan Martin Cerato, Mitchell K. Chisholm II, Joseph Gasecki, Robert Dale Johnson Jr., Joshua Daryl Kornblum, Michael Lawrence La Maina, Jonathan Ben Leck, Thomas Michael Lisante II, Christopher Megregian, Richard Theodore Nolan, Kaitlyn Robbins, Patrick William Ryan, Nathan Francis Sherr, Jonathan Peter Spiropoulos, David Walraven and Kiera Linette Westmoreland.

Commissioner Jaccoma made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2019 Port Canaveral Deputy Pilot Examination. The motion was seconded by Commissioner Benson. Motion carried.

**PORT OF PALM BEACH**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for Port of Palm Beach: Dane Douglas Britt, Michael Justin Burbelo, Charles Jennings Jones, James John Maye IV, Patrick Lothar Nolan, William James O'Connor, Michael James Syler and Jeffrey Walsh.

Commissioner Cumings made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2019 Port of Palm Beach Deputy Pilot Examination. The motion was seconded by Commissioner Assal. Motion carried.

### **PORT EVERGLADES**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for Port Everglades: Peter Glenn Aguinaldo, Justin Robert Allen, Dane Douglas Britt, Benjamin Edward Fallon, Patrick Joseph Grimm, Dustin M. Leserra, Thomas Michael Lisante II, Christopher Thomas Moran, Kaitlin O'Brien, Timothy M. Porter, Joseph Francis Purcell, Kaitlyn Robbins, Patrick William Ryan, Weston Stumpf, James Gary Walley Jr., David Walraven and Aleksander Panayojov Zhechkov.

Commissioner Seuter made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2019 Port Everglades Deputy Pilot Examination. The motion was seconded by Commissioner Assal. Motion carried.

### **PORTS OF TAMPA BAY**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for Ports of Tampa Bay: Brett Baker, Erik Samuel Boothe, Michael Dennis Chretien, James William Dailey, William Huston Daniel, Mark Exner, Justin Facciolo, Tevin A. Freeman, Josef Kasprzycki III, Garrett Knese, Clint Kenneth McCay, Nicolas Nastasi, Richard Theodore Nolan, Kyle A. O'Connor, Kyle Rowley Scannell; James Edward Shubel, Kerry Smith and Michael Stutevoss.

Commissioner Cumings made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2019 Ports of Tampa Bay Deputy Pilot Examination. The motion was seconded by Commissioner Oastis. Motion carried.

### **PORT OF PANAMA CITY**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for Port of Panama City: Phillip Brady III, Austin Burneo, Brad Lee Hopkins, James John Maye IV and Joel Michael Soileau.

Commissioner Benson made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2019 Port of Panama City Deputy Pilot Examination. The motion was seconded by Commissioner Seuter. Motion carried.

### **MOTION TO DENY**

Commander Dunton stated that the application file for Andrew Frank Bercovici demonstrated that the applicant was shy 230 days of the required sea time and failed to provide a current physical; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Cumings to deny the application for Andrew Frank Bercovici as he did not meet the requirements to sit for the March 2019 Port Canaveral Deputy Pilot Examination. Motion seconded by Commissioner Oatis. Motion carried.

Commander Dunton stated that the application file for Paul Alfred Dirschka demonstrated that the applicant only had sea time on oil supply vessels and failed to provide a physical; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Assal to deny the application for Paul Alfred Dirschka as he did not meet the requirements to sit for the March 2019 Port Canaveral Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated that the application file for Jason Michael Dudley demonstrated that the applicant only had sea time on oil supply vessels and he failed to provide a physical; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Seuter to deny the application Jason Michael Dudley as he did not meet the requirements to sit for the March 2019 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Benson. Motion carried.

Commander Dunton stated that the application file for Ahmed Elamami demonstrated that the applicant failed to provide proof of education; failed to provide a physical and drug test; failed to provide proof of adequate seal time; held a foreign license; and failed to pay his fee; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Oatis to deny the application for Ahmed Elamami as he did not meet the requirements to sit for the March 2019 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Assal. Motion carried.

Commander Dunton stated that the application file for Armando Gundin demonstrated that the applicant only had sea time as a tugboat captain; failed to provide a physical and drug test and failed to provide a copy of his license; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Phipps to deny the application for Armando Gundin as he did not meet the requirements to sit for the March 2019 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Benson. Motion carried.

Commander Dunton stated that the application file for Thomas Francis LeBlanc demonstrated that the applicant only had 137 days of the required sea time as a second mate and failed to provide proof of a drug test; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Cumings to deny the application for George Alger III as he did not meet the requirements to sit for the March 2019 Port Canaveral Deputy Pilot Examination. Motion seconded by Commissioner Assal. Motion carried.

Commander Dunton stated that the application file for Daniel P. McClay demonstrated that the applicant was shy 331 days of the required sea time; failed to provide a physical or drug test and did not pay his fee; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Jaccoma to deny the application for Daniel P. McClay as he did not meet the requirements to sit for the March 2019 Port of Palm Beach and Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Seuter. Motion carried.

Commander Dunton stated that the application file for Michael Joseph McKey demonstrated that the applicant's sea time was on inland rivers and he failed to provide a drug test; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Assal to deny the application for Michael Joseph McKey as he did not meet the requirements to sit for the March 2019 Port of Panama City Deputy Pilot Examination. Motion seconded by Commissioner Oatis. Motion carried.

Commander Dunton stated that the application file for Kartik Parmar demonstrated that the applicant had insufficient sea time and failed to pay his fee; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Cumings to deny the application for Kartik Parmar as he did not meet the requirements to sit for the March 2019 Port of Palm Beach Deputy Pilot Examination. Motion seconded by Commissioner Assal. Motion carried.

Commander Dunton stated that the application file for Surinder Singh demonstrated that the applicant only held a foreign license; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Oatis to deny the application for Surinder Singh as he did not meet the requirements to sit for the March 2019 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Benson. Motion carried.

Commander Dunton stated that the application file for Nicolas William Valavanis demonstrated that the applicant was shy 82 days of sea time as a second mate; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Benson to deny the application for Nicolas William Valavanis as he did not meet the requirements to sit for the March 2019 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Assal. Motion carried.

Commander Dunton stated that the application file for Michael Francis Valenti demonstrated that the applicant sea time was as a 1600 gross registered ton Master; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Cumings to deny the application for Michael Francis Valenti as he did not meet the requirements to sit for the March 2019 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Oatis. Motion carried.

Commander Dunton stated that the application file for Frank A. Westgate demonstrated that the applicant was shy 61 days of sea time; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Assal to deny the application for Frank A. Westgate as he did not meet the requirements to sit for the March 2018 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Benson. Motion carried.

**CORRESPONDENCE** -Letter from Captain Brian McGee, Pensacola  
The Florida Harbor Pilots Association will reach out to the port.

**DISCUSSION OF DEPUTY PILOT VACANCY AT PORT OF PALM BEACH**

A motion was made by Commissioner Phipps that the Secretary appoint a replacement Deputy Pilot from the remaining passing candidates from the March 2018 examination. Commissioner Cumings seconded the motion and the motion carried.

**REPORTS**

**Deputy Pilot Advancement Committee Report-Commissioner Phipps.**

Commissioner Phipps approved the October 31, 2018 minutes, the November 30, 2018 minutes, , and the January 4, 2019 minutes.

**Board Attorney Report – Clark Jennings**

No report.

### **Chair Report – Commissioner Kurtz**

The chair recognized former Commissioner Lou Sola, who has been appointed to the Federal Maritime Commission, for his service and dedication to the Board of Pilot Commissioners.

### **Prosecuting Attorney’s Report – Crystal Stephens**

There is one public case that was heard at this meeting and no private cases at this time.

### **Executive Director Report-Krista Woodard**

Director Woodard presented the Financial Reports as of June 30, 2018. Commissioner Benson made a correction to the Board of Pilot Commissioners Operating Account Statement of Revenue and Expenditures for the Twelve Months ending June 30, 2018 Account Balance, End of Period for June 30, 2017. The amount on the report was \$(186,925). The correct amount should be \$ (186,923).

Director Woodard reminded the Board that the paperless licensing system had been implemented and that the renewed licenses must be printed by the licensees as the Department would no longer be printing and mailing renewed licenses.

### **RATIFICATION LISTS**

#### **Deputy Pilot Advancement Ratifications**

A motion was made by Commissioner Assal and seconded by Commissioner Jaccoma to approve the Deputy Pilot Advancements from September 28, 2018 through January 23, 2019. Motion carried.

### **NEW BUSINESS - ELECTIONS**

A motion was made by Commissioner Assal and seconded by Commissioner Phipps to retain Commissioner Kurtz as chair for the Board of Pilot Commissioners. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Cumings to retain Commissioner Jaccoma for the position of Vice Chair of the Board of Pilot Commissioners. Motion carried.

Chair Kurtz appointed Commissioner Benson and Commissioner Cumings to the Probable Cause panel.

Chair Kurtz appointed Commissioner Phipps as Chair and Commissioner Oatis as Vice Chair for the Legislative Committee.

Galen Dunton expressed concerns on Deputy Pilot Applications and other departmental processes.

No action taken

### **OLD BUSINESS-**

#### **Performance Evaluation of Galen Dunton**

Commander Dunton will be retiring effective June 3, 2020. At the next meeting Director Woodard will have an outline on the process of hiring a new consultant.

Chair Kurtz will write a letter of commendation to add to Commander Dunton’s file.



**Recognition of Clark Jennings retirement**

Chair Kurtz read a letter into the record recognizing Mr. Jennings on his retirement.

A plaque was presented to Mr. Jennings by the Florida Harbor Pilots Association.

**PUBLIC COMMENTS**

Richard Pinsky, Akerman LLP for Balearia Caribbean. Requesting a rule for daily ferry services.

Fabrizio Vaccaro, MSC. Offered comments about the pending rate change for Port Everglades.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Commissioner Cumings and seconded by Commissioner Phipps. The meeting was adjourned at 10:37 a.m. EST.