

# **Minutes of the Meeting**

## **BOARD OF PILOT COMMISSIONERS**

**Wyndham Bay Point Resort**

**4114 Jan Cooley Dr**

**Panama City Beach, FL 32408**

**850.236.6000**

**January 22, 2015**

**Approved April 23, 2015**

### **LEGISLATIVE COMMITTEE MEETING**

Commissioner Swindell called the meeting to order.

#### **Members Present**

Commissioner Swindell, Chair

Commissioner Kurtz

Commissioner Burke

Commissioner Fernandez

Commissioner Miguez

Commissioner Phipps

Commissioner Ramos

Commissioner Trueba

Commissioner Ulrich

Commissioner Winegeart

Discussion regarding changes to §310.151, Florida Statutes, were discussed.

The Committee agreed that further discussion would need to take place before any decisions could be made and requested Mr. MacIver take their proposals and amendments and have it reflected in language to be presented at the April meeting.

Commissioner Swindell adjourned the Legislative Committee meeting at 2:15 pm.

## **GENERAL BOARD BUSINESS**

### **Members Present**

Commissioner Kurtz, Chair  
Commissioner Swindell, Vice-Chair  
Commissioner Burke  
Commissioner Fernandez  
Commissioner Miguez  
Commissioner Phipps  
Commissioner Ramos  
Commissioner Trueba  
Commissioner Ulrich  
Commissioner Winegeart

### **Others Present**

John MacIver, Executive Director  
Daniel Biggins, Executive Director  
Donald Shaw, Government Analyst  
Michael Flury, Board Counsel  
Clark Jennings, Board Counsel  
Galen Dunton, Pilot Consultant  
John Cary, Prosecuting Attorney  
Allen Thompson, Tampa Bay Pilots Association  
Stuart Lilly, Florida Harbor Pilots Association  
Richard Frudaker, St. Andrews Bay Pilots Association  
Zachary Condon, St. Andrews Bay Pilots Association  
Gretchen Winters, Florida Harbor Pilots Association  
Warren Husband, Florida Harbor Pilots Association  
Sam Stephenson, Port Everglades Port Pilots Association  
Stephen Gasecki, Florida Harbor Pilots Association  
Benjamin Borgie, Florida Harbor Pilots Association

Commissioner Kurtz called the meeting to order at 2:23 pm.

### **Approval of the Minutes of the Meeting**

#### **Minutes of the July 14, 2014 Meeting of the Board**

Commissioner Kurtz and Commissioner Phipps requested changes be made to the minutes. Staff indicated the requested changes would be made and a draft of the minutes would be presented for approval at the next meeting.

#### **Minutes of the September 30, 2014 Meeting of the Board**

**Motion:** Commissioner Winegeart made a motion to approve the minutes as submitted.

**Second:** Commissioner Phipps seconded the motion.

Motion passed unanimously.

## **Minutes of the October 2 & 3, 2014 Meeting of the Board**

**Motion:** Commissioner Fernandez made a motion to approve the minutes as amended.

**Second:** Commissioner Winegeart seconded the motion.

Motion passed unanimously.

## **Minutes of the December 18, 2014 Meeting of the Board**

**Motion:** Commissioner Fernandez made a motion to approve the minutes as submitted.

**Second:** Commissioner Burtz seconded the motion.

Motion passed unanimously.

## **Prosecuting Attorney's Report**

Mr. Cary informed the Board that the Department had 7 cases ready to present to the probable cause panel.

## **Request for State Pilot Exams**

### **Port Everglades Pilots Association**

Capt. Sam Stephenson of the Port Everglades Pilots Association requested the Board allow Captain Todd Cooper and Captain Christopher Mahler to sit for the State Pilot examination, March 19 & 20, 2015.

**Motion:** Commissioner Phipps made a motion to approve the request of the Port Everglades Pilots.

**Second:** Commissioner Fernandez seconded the motion.

Motion passed unanimously.

### **Biscayne Bay Pilots Association**

Commissioner Fernandez spoke on behalf of the Biscayne Bay Pilots Association and requested the Board allow Captain Christopher Marlowe to sit for the State Pilot examination, March 19, & 20, 2015.

**Motion:** Commissioner Ulrich made a motion to approve the request of the Biscayne Bay Pilots Association.

**Second:** Commissioner Winegeart seconded the motion.

Motion passed unanimously.

## **St. Andrews Bay Pilots Association**

Capt. Richard Frudaker of the St. Andrews Bay Pilots Association requested the Board allow Captain Zachary Condon to sit for the State Pilot examination, March 19 & 20, 2015.

**Motion:** Commissioner Fernandez made a motion to approve the request of the St. Andrews Bay Pilots Association.

**Second:** Commissioner Ramos seconded the motion.

Motion passed unanimously.

## **Review of Applicants for Deputy Pilot Openings**

### **St. Johns Bay Pilots Association**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for the Port of Jacksonville: Justin Facciolo, Nicholas Gasper, Dustin Lesserra, Thomas Lisante, Ryan Malcolm, James Maye, Corwin Mendenhall, James Moore, Kyle O'Connor, Benjamin Rosson, Donald Sacca and Michael Villa.

**Motion:** Commissioner Phipps made a motion to approve the candidates as stated by Commander Dunton for the March 2015 examination for the deputy pilot opening with the St. Johns Bay Pilots Association.

**Second:** Commissioner Winegeart seconded the motion.

Motion passed unanimously.

### **Canaveral Pilots Association**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for Port Canaveral: George Alger, III, Justin Allen, John Bouchard, Dane Britt, Joseph Bushy, Trevor Cardin, Jacob Crawford, George Darley, Andrew Gillilan, Thomas Hackett, Steven Holm, Angel Irlanda-Colon, Jonathan Leck, Dustin Lesserra, Thomas Lisante, Ryan Malcolm, Brendon McDonnell, Christopher Megregian, Robert Moore, II, Sean Morrissey, Keith Morton, Angelo Raimondi, Dana Rauch, Rolando Santos, III, Christopher Sparks, John Swartout, and Ryan Sweeney.

**Motion:** Commissioner Ramos made a motion to approve the candidates as stated by Commander Dunton for the March 2015 examination for the deputy pilot opening with the Canaveral Pilots Association.

**Second:** Commissioner Burke seconded the motion.

Motion passed unanimously

### **Tampa Bay Pilots Association**

Commander Dunton stated that the following applicants met the requirements to take the Deputy Pilot examination for the Port of Tampa: Hemzeh Abdelmuti, Ryan Malcolm, Edward Markuske, James Maye, Brett Monthie, Richard Nolan, Christopher Pyne-Mercier, Matthew Riley, Kenneth Sears, Jr., Thomas Sellers, Luke Sloane, and John Timmel.

**Motion:** Commissioner Trueba made a motion to approve the candidates as stated by Commander Dunton for the March 2015 examination for the deputy pilot opening with the Tampa Bay Pilots Association.

**Second:** Commissioner Ramos seconded the motion.

Commander Dunton stated that the sea service for Joseph Gauta was obtained as a Mate on tugs and/or barges, and therefore he was not qualified to sit for the examination.

**Motion:** Commissioner Phipps made a motion to deny the application for Joseph Gauta as he did not meet the requirements.

**Second:** Commissioner Ramos seconded the motion.

Motion passed unanimously.

Commander Dunton informed the Board that Jason Teal had withdrawn his application as of December 4, 2014.

### **Committee Reports**

#### **Chair's Report – Commissioner Kurtz**

Commissioner Kurtz had nothing to report.

#### **Legislative Committee Report – Commissioner Swindell**

Commissioner Swindell had nothing to report.

#### **Board Counsel's Report – Michael Flury**

Mr. Flury had nothing to report.

#### **Executive Director's Report – Daniel Biggins**

Mr. MacIver had nothing to report.

## **Performance Evaluation of Galen Dunton**

Commander Dunton left the room.

**Motion:** After discussion, Commissioner Fernandez made a motion to approve a letter to be sent to the Secretary of the Department commending Commander Dunton on his performance and recommending he continue to serve as the Board's consultant.

**Second:** Commissioner Trueba seconded the motion.

Motion passed unanimously.

## **New Business**

Commissioner Kurtz informed the Board that she would not be able to attend the Rate Review Committee meeting, and on the advice of counsel, was requesting the Committee hold a special election to elect an alternate pilot board member to sit in her place.

**Motion:** Commissioner Fernandez nominated Commissioner Winegeart.

**Second:** Commissioner Phipps seconded the motion.

The pilot members of the board approved the motion unanimously.

Discussion took place regarding the proposed meeting date in July and it was requested that staff would poll the Board for their availability the week of July 20 for Tampa.

Captain Richard Frudaker of the St. Andrews Bay Pilots Association gave a brief presentation on the Port of Panama City.

## **Old Business**

No Old Business was discussed.

## **Adjournment**

Commissioner Swindell adjourned the meeting at 3:07 pm.