

Minutes

BOARD OF PILOT COMMISSIONERS

Hyatt Regency Miami
400 S. E. Second Avenue
Miami, FL 33131
305.679.3067
May 16, 2017
Approved October 31, 2017

GENERAL BOARD BUSINESS Thursday, July 28, 2016, 9:00 A.M

CALL TO ORDER

Meeting was called to order by Chair Kurtz at 9:33 am EDT

Members Present:

Commissioner Kurtz, Chair
Commissioner Winegeart, Vice-Chair
Commissioner Assal
Commissioner Cumings
Commissioner Jaccoma
Commissioner Oatis
Commissioner Phipps
Commissioner Sola
Commissioner Wilkins

Others Present

Krista Woodard, Executive Director
Marlene Stern, Board Attorney
Anne Ahrendt, Government Analyst
Rebecca Hays, Prosecuting Attorney
Renee Cuellar, Court Reporter, Downtown Reporting
Warren Husband, Florida Harbor Pilots Association
Sam Stephenson, Florida Harbor Pilots Association
Gretchen Winters, Florida Harbor Pilots Association
Allen Thompson, Tampa Bay Pilots Association
Robert Maguire, Key West Bar Pilots
Zach Condon, St. Andrews Bay Pilots Association
Stephen Gasecki, Canaveral Pilots Association
Geoffrey Pool, Biscayne Bay Pilots Association
Alexis Polles, Florida Professional Health Network

RULES COMMITTEE

Roll Call

Members Present:

Commissioner Phipps, Chair
Commissioner Jaccoma, Vice Chair
Commissioner Assal
Commissioner Cumings
Commissioner Kurtz
Commissioner Oatis
Commissioner Sola
Commissioner Wilkins
Commissioner Winegeart

61G14-11.001 Determination of Openings for Deputy Pilots

After discussion Commissioner Jaccoma made a motion followed by a second from Commissioner Kurtz to change the language in 61G14-11.001 (3) as follows:

(3)Notwithstanding the foregoing, if at any time the Board finds that the supply and demand for piloting services and the public's interest in maintaining efficient and safe piloting services would not be served by a delay until the next regularly scheduled examination in providing for one or more new deputy pilots for any port, the board shall declare one or more openings for deputy pilots for that port and shall make provision for giving notice of and scheduling a special examination for the sole purpose of filling such opening. However, if a deputy pilot resigns, or a deputy pilot's certificate is denied, refused or revoked, and the Board finds that the supply and demand for piloting services and the public's interest in maintaining efficient and safe piloting services requires the vacated position to be filled without the delay of notice and examination, then the Board shall request that the Department fill the vacated position from among the applicants most recently certified by the Department within the two years preceding the resignation, denial, refusal or revocation, for a deputy pilot opening in that port.

Motion carried.

Board counsel Stern read the following Statement of Estimated Regulatory Costs. "The proposed rule amendment will not have an adverse impact on small business."

The Board concurred.

Board counsel read the following Statement of Estimated Regulatory Costs. "The proposed rule amendment is not likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one year after implementation of the rule."

The Board concurred.

RULE COMMITTEE ADJOURNED AT 9:57 A.M. EDT.

GENERAL BOARD MEETING.

MEETING WAS CALLED TO ORDER BY THE CHAIR AT 9:57 A.M.

ROLL CALL:

Members Present:

Commissioner Kurtz, Chair
Commissioner Winegeart, Vice-Chair
Commissioner Assal
Commissioner Cumings
Commissioner Jaccoma
Commissioner Oatis
Commissioner Phipps
Commissioner Sola
Commissioner Wilkins

APPROVAL OF MINUTES

Minutes of January 18, 2017 Meeting of the Board

A motion was made by Commissioner Phipps and seconded by Commissioner Cumings to approve the minutes with corrections. Motion Carried.

Minutes of February 9, 2017 Meeting of the Board

A motion was made by Commissioner Jaccoma and seconded by Commissioner Oatis to approve the minutes. Motion Carried.

Minutes of March 2, 2017 Meeting of the Board

A motion was made by Commissioner Cumings and seconded by Commissioner Kurtz to approve the minutes with corrections. Motion Carried.

Minutes of March 30, 2017 Meeting of the Board

A motion was made by Commissioner Phipps and seconded by Commissioner Cumings to approve the minutes with corrections. Motion Carried.

CHANGES TO KEY WEST BAR PILOTS SAFETY GUIDELINES – CAPTAIN ROBERT MAGUIRE

A motion was made by Commissioner Phipps and seconded by Commissioner Jaccoma to approve the safety guidelines for the Port of Key West as amended. Motion carried

REPORT ON THE 2017 DEPUTY PILOT EXAMINATIONS

Correction made to number of applicants accepted to take the Ports of Tampa Bay examination was made to the agenda. Number of qualified applicants should be 16. Presented for informational purposes and no action was taken.

REPORTS

Chair Report – Commissioner Kurtz- Commissioner Kurtz shared Commander Dunton's review letter with the Board. She also shared letters from Senator Jack Latvla regarding legislation as it relates to the antitrust action against regulatory boards and Senate Bill 582, which Senator Latvla sponsored, which would require the Department to defend all current and former Board members.

Deputy Pilot Advancement Committee Report-Commissioner Phipps

Approved the February 28, 2017 Committee Minutes.

Approved the March 30, 2017 Committee Minutes.

Approved the April 13, 2017 Committee Minutes with corrections.

Prosecuting Attorney Report – Rebecca Hays

There are 12 private cases.

Board Attorney Report – Marlene Stern

Rules Report- No rules in process except for the one addressed at today's rule hearing.

Executive Director Report-Krista Woodard

Director Woodard presented the Financial Reports as of December 31, 2016.

RATIFICATION LISTS

61G14-11.001 determination of Openings for Deputy Pilots

A motion was made by Commissioner Jaccoma and seconded by Commissioner Wilkins to ratify the changes to the rule. Motion carried.

Deputy Pilot Advancement Ratifications

A motion was made by Commissioner Cumings and seconded by Commissioner Oatis to approve the Deputy Pilot Advancements from March 1, 2017 – May 1, 2017. Motion carried.

PUBLIC COMMENTS

No comments.

NEW BUSINESS

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Commissioner Jaccoma reminded his fellow commissioners to make sure that they fill out their financial disclosures for the Commission on Ethics.

OLD BUSINESS

A friendly reminder was made by Board staff for the pilot members to remind their associations to turn in their annual physicals on a timely basis.

Commissioner Kurtz asked that any associations that have pilots who are retiring and would like to present them with a thank you letter from the Board to please email her.

ADJOURNMENT

Meeting was adjourned at 10:51 a.m. EDT.