

**MINUTES OF THE MEETING
BOARD OF PILOT COMMISSIONERS
Hilton Garden Inn Palm Beach Gardens
3505 Kyoto Gardens Drive
Palm Beach Gardens, Florida 33410
Tuesday, November 9, 2021
9:00 A.M. EST
Approved**

GENERAL BOARD BUSINESS

CALL TO ORDER

Meeting was called to order by Chair Kurtz at 9:03 am EST

Members Present:

Commissioner Kurtz, Chair
Commissioner Jaccoma, Vice-Chair
Commissioner Cumings
Commissioner Phipps
Commissioner Russo
Commissioner Seuter
Commissioner Assal

Members Absent:

Commissioner Benson - Excused

Others Present

Amanda Ackermann, Executive Director
Marlene Stern, Board of Pilot Commissioners Counsel
Donna McNulty, Pilotage Rate Review Committee Attorney
Mollie Peck, Government Analyst
Captain Tom Bushy, Board Consultant
Elizabeth Henderson, Assistant General Counsel
Warren Husband, Florida Harbor Pilots Association
Gretchen Winters, Florida Harbor Pilots Association
Laura DiBella, Florida Harbor Pilots Association
Ben Borgie, Florida Harbor Pilots Association
Captain Matt Lynch, Port Everglades Pilots Association
Captain Brett Baker, Tampa Bay Pilots Association
Terry Fluke, Tampa Bay Pilots Association
Captain Chris Marlow, Biscayne Bay Pilots Association
Lynn Hansen, Palm Beach Pilots Association
Captain Reid Hansen, Palm Beach Pilots Association
Captain Dane Britt, Palm Beach Pilots Association
Captain Eric Baker, Palm Beach Pilots Association

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Captain Matthew Rigby, Palm Beach Pilots Association

APPROVAL OF MINUTES

Minutes of January 21, 2020 Meeting of the Board

Commissioner Kurtz noted the following corrections necessary. Ben Borgie is repeated twice and the spelling of Terry Fluke is incorrect. A motion was made by Commissioner Phipps to approve the January 20, 2020 minutes as corrected and seconded by Commissioner Cumings. Motion carried.

Minutes of June 26, 2020 Meeting of the Board

A motion was made by Commissioner Assal to approve the June 26, 2020 minutes as written and seconded by Commissioner Jaccoma. Motion carried.

Minutes of May 27, 2021 Meeting of the Board

A motion was made by Commissioner Cumings to approve the May 27, 2021 minutes as written and seconded by Commissioner Assal. Motion carried.

Minutes of August 18, 2021 Meeting of the Board

Commissioner Kurtz noted the following corrections necessary. Captain Baker is at Palm Beach Pilots Association not Tampa Bay Pilots Association. A motion was made by Commissioner Assal to approve the August 18, 2021 minutes as corrected and seconded by Commissioner Phipps. Motion carried.

Minutes of September 20, 2021 Meeting of the Board

A motion was made by Commissioner Assal to approve the September 20, 2021 minutes as written and seconded by Commissioner Phipps. Motion carried.

DISCIPLINE

DBPR v. Captain Jeffrey T. Ritter (Case # 2019-050843) –Settlement Stipulation – Prosecuting Attorney, Elizabeth Henderson

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

REQUEST FOR STATE PILOT EXAMINATION

Captain Phillip Brady – St. Andrews Bay Pilots Association - A motion was made by Commissioner Phipps and Seconded by Commissioner Russo to approve Captain Phillip Brady to sit for the State Pilot Examination. Motion carried.

REPORTS

Chair Report – Commissioner Kurtz

No report.

Deputy Pilot Advancement Committee – Commissioner Phipps

Approval of March 1, 2021 minutes
Approval of June 11, 2021 minutes
Approval of June 23, 2021 minutes
Approval of September 2, 2021 minutes
Approval of September 20, 2021 minutes

A motion was made by Commissioner Kurtz and seconded by Commissioner Seuter to accept minutes as written.

Deputy Pilot Advancement Committee – Commissioner Jaccoma

Approval of October 15, 2021 minutes

A motion was made by Commissioner Kurtz and seconded by Commissioner Cumings to accept minutes as written.

Board Attorney Report – Marlene Stern

No report.

Prosecuting Attorney’s Report – Elizabeth Henderson

There is currently no backlog of cases.

Executive Director Report – Amanda Ackermann

Director Ackermann presented the Financial Reports as of June 30, 2021.

NEW BUSINESS

OLD BUSINESS

Review of Request from the Florida Harbor Pilots Association (FHPA) on cross licensing for the Port of Key West.

John Bouchard from the Key West Pilots Association spoke publicly that since Covid the gross pilotage has been affected and the future of the Key West Pilots Association is unknown.

Commissioner Kurtz stated once you have received an agreement from another association that is the time to come to the board with a solution.

Warren Husband suggested a waiver could possibly be used to allow for the cross licensing.

Marlene Stern stated that this could be handled by rule waiver, but it would circumvent the department.

Amanda Ackermann has spoken with the Secretary and she is very sensitive to the issue. Amanda Ackermann told the board the petition for variance/waiver would allow the board’s rules to stay in place and this would make it a case by case situation. The individual would

submit an application at the same time as the petition so the board could review both at the same time.

PUBLIC COMMENTS

ADJOURNMENT

A motion to adjourn the meeting was made by Commissioner Cumings and seconded by Commissioner Phipps. The meeting was adjourned at 9:42. EST.