

MINUTES OF THE MEETING

RULES COMMITTEE BOARD OF PILOT COMMISSIONERS Hyatt Regency Jacksonville Riverfront 225 Coast Line Drive East Jacksonville, Florida September 29, 2008

CALL TO ORDER

Commissioner Frudaker, Chair of the Committee, called the meeting to order at 1:17 p.m.

Members Present

Commissioner Frudaker, Chair
Commissioner Bohnsack
Commissioner Brandenburg
Commissioner Bryson, Vice-Chair
Commissioner Buford
Commissioner Fernandez
Commissioner Jones
Commissioner Molitor
Commissioner Phipps

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Mike Flury, Board Counsel
Phil Monte, Prosecuting Attorney
Galen Dunton, Board Consultant
Joe Brown, Florida State Pilots Association
Warren Husband, Florida State Pilots Association
Gretchen Rayborn, Florida State Pilots Association
Allen Thompson, Tampa Bay Pilots Association
Jay Winegeart, St. Johns Bar Pilot Association
Drew Winters, Durst & Harnden, P.A.

APPROVAL OF THE MINUTES OF THE MEETING

July 17, 2008

MOTION: Commissioner Buford made a motion that the Committee approve the July 17, 2008, minutes as submitted.

SECOND: Commissioner Brandenburg seconded the motion and it passed unanimously.

RULES REPORT – MICHAEL FLURY

Mr. Flury provided the Committee with a copy of his report. He stated that the Committee made the decision to forego making any changes to Rule 61G14-11.007, Florida Administrative Code.

DISCUSSION OF RULE 61G14-11.008, FLORIDA ADMINISTRATIVE CODE, CROSS LICENSING – COMMISSIONER FRUDAKER

Commissioner Frudaker stated that he had asked that this be on the agenda to discuss the possibility of the cross licensing examination for Port St. Joe being offered at the same time as the examination for the Port of Panama City. He stated that it appeared that the Board would have the discretion to do this as the rule does state that the test cannot be done in advance. He stated that he asked Mr. Flury to review the rule, however, after talking with Commander Dunton, he was not sure it could be done.

Mr. Flury responded that the cross licensing examination has to be taken by a licensed state pilot. He stated that the rule could be changed if the Board so desired.

Commissioner Frudaker stated that the options have been discussed with the individuals involved in Port St. Joe and it appears, at this time that they want to possibly have their own port. He stated that he did not think that the Board would want to go against the wishes of the port since there was not a consensus from Panama City and Port St. Joe, at this time.

Commander Dunton commented that the issue is that the pilot has to be a state pilot. He stated that it would be a Board decision if they were willing to waive that rule to allow someone to take the examination.

Mr. Flury stated that in order to waive the rule, there would have to a petition filed for a waiver as the Board cannot waive a rule without a petitioner.

In discussion, Commissioner Frudaker stated that there was no business in Port St. Joe at this time, however, there may be one or two vessels a month in the future. Commissioner Frudaker stated that he and Captain Knowles would be able to train a deputy for Port St. Joe as they are the only pilots that have the experience. Commissioner Buford stated that there was nothing to prevent the Board from authorizing a deputy for Port St. Joe if needed in the future.

DISCUSSION OF ADJUSTMENT OF GROSS PILOTAGE ASSESSMENT

Commissioner Frudaker informed the Committee that a request was not made by the Finance Committee to change the assessment.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1:34 p.m.