

MINUTES OF THE MEETING

BOARD OF PILOT COMMISSIONERS Hyatt Regency Jacksonville Riverfront 225 Coast Line Drive East Jacksonville, Florida

September 30 2008

CALL TO ORDER

Chair Phipps called the meeting to order at 9:00 a.m.

Members Present

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

Others Present

Charles W. Drago, Secretary, Department of Business and Professional Regulation
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
Brian Seuter, Cumberland Pilots Association
Drew Winters, Durst & Harnden, P.A.
Tony Hogg, Florida Docking Masters Association

Chair Phipps introduced Secretary Drago and welcomed him to the meeting.

Secretary Drago gave the Board an overview of his background. He discussed the initiatives the Department is currently pursuing. He stated that his goal was to meet with each of the boards before the next Legislative Session.

Secretary Drago informed the Board that Ms. Maureen Olsen was recently hired as the new Deputy Secretary for Professional Regulations. He stated that she hopes to visit with the various professions soon.

Secretary Drago thanked the Board for the opportunity to meet with them.

Chair Phipps informed Secretary Drago that when he is in one of the eleven port cities and if he was interested in riding on a ship with a pilot when a vessel was out bound, she was sure that the pilot association would be willing to accommodate his request.

APPROVAL OF THE MINUTES OF THE MEETING

July 18, 2008

Commissioner Frudaker stated that on Page 22 Panama City should be in the first paragraph and not Port St. Joe.

MOTION: Commissioner Molitor made a motion that the Board approve the minutes as amended.

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

PROSECUTING ATTORNEY'S REPORT – PHILIP MONTE

Mr. Monte provided the Board with a copy of his report which he discussed with the Board.

REQUEST FOR STATE PILOT EXAMINATIONS

Peter Glynn – Tampa

Joseph Lachnicht - Tampa

Captain Thompson, Tampa Bay Pilots Association, informed the Board that Captain Glynn would complete his Level 8 training on October 24. He would then start on Level 9, will have completed his 24 months of training, and will have met all requirements to take the state pilot examination. Captain Thompson reported that he had the approval of the majority of the pilots in Tampa and provided the Board with a copy of the ballot.

Captain Thompson informed the Board that Captain Lachnicht would complete his Level 8 training on October 24. He would then start on Level 9, will have completed his 24 months of training, and will have met all requirements to take the state pilot examination. Captain Thompson reported that he had the approval of the majority of the pilots in Tampa and provided the Board with a copy of the ballot.

MOTION: Vice-Chair Bryson made a motion that the Board approve Captain Peter Glynn and Captain Joseph Lachnicht for the state pilot examination.

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

Captain Thompson asked for the examination to be administered prior to the scheduled March examination. Commander Dunton informed the Board he could have the examinations ready prior to March.

MOTION: Commissioner Fernandez made a motion that the Board grant the request from the Tampa Bay Pilots Association to administer the state pilot examination prior to the March examination date.

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

REQUEST FOR DEPUTY PILOT OPENING

St. Andrew Bay Pilots Association

Commissioner Frudaker informed the Board that a request was submitted on September 25 for at least one opening for the March examination.

MOTION: Commissioner Fernandez made a motion that the Board approve the request for at least one deputy for the St. Andrew Bay Pilots Association.

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

REPORTS

Chair's Report – Commissioner Phipps

Chair Phipps informed the Board that the report had not been released from the National Transportation Safety Board hearing that she attended in April.

Deputy Pilot Advancement Committee – Commissioner Phipps

Chair Phipps reported that the Committee had not met since the last Board meeting. The next meeting is scheduled for October 10, 2008.

Finance Committee Report – Commissioner Bryson

Vice-Chair Bryson recapped the meeting held September 29. He stated that gross revenues were down and discussed the balances. He stated that the potential expense for each meeting of the Pilotage Rate Review Board is \$30,000.

Vice-Chair Bryson informed the Board that the Committee voted not to adjust the gross pilotage assessment at this time. They will review the finances after the first quarter of 2008-2009.

Rules Committee Report – Commissioner Frudaker

Commissioner Frudaker reported that the Committee met on September 29. He stated that they did not receive a request from the Finance Committee to make

adjustments to the gross pilotage assessment. He stated that the Committee discussed cross licensing and they did not have any rules to bring before the Board at this time.

Probable Cause Panel Report – Commissioner Phipps

Chair Phipps did not have a report at this time.

Board Counsel – Michael Flury

Mr. Flury stated that he did not have a report to give at this time.

Executive Director’s Report – Robyn Barineau

Ms. Barineau informed the Board that the January meeting was tentatively set for Pensacola.

Port Security – Commissioner Molitor

Commissioner Molitor stated that very little had been published recently, and, therefore, he did not have any articles for informational purposes.

ANNUAL REVIEW OF BOARD COUNSEL, EXECUTIVE DIRECTOR AND BOARD CONSULTANT

At this time, Ms. Barineau, Commander Dunton and Mr. Flury left the meeting room.

Chair Phipps stated that she was very pleased with the work of Mr. Flury.

MOTION: Commissioner Buford made a motion that the Chair write a letter to Ms. M. Catherine Lannon expressing the Board’s approval of Mr. Flury as Board Counsel.

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

Chair Phipps stated that Ms. Barineau had done a superb job.

MOTION: Commissioner Molitor made a motion that the Chair write a letter to the Department expressing the Board’s approval of Ms. Barineau as Executive Director.

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

Chair Phipps stated that Commander Dunton does an excellent job.

Vice-Chair Bryson commented that questions are always answered and that he serves the board well.

MOTION: Vice-Chair Bryson made a motion that the Chair write a letter to the Department expressing the Board's approval of Commander Dunton as their Consultant.

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

Captain Thompson commented that in his interaction with the Department, they have always assisted.

NEW BUSINESS

Commissioner Frudaker asked Commander Dunton to provide a short synopsis on the medical examination information they recently received and asked if it was still in draft form.

Commander Dunton responded that the e-mail was a final document. He stated that the Coast Guard had a great deal of input on the medical forms. All of the physicals will go to the National Maritime Center, and they will review any medications that may affect a pilot's performance. If there are no supporting documents, they will contact the individual or the doctor for back-up information. Commander Dunton stated that they are taking this very seriously, and it applies to anyone with a Coast Guard license.

OLD BUSINESS

Chair Phipps thanked the St. Johns Bar Pilot Association for the boat tour and reception.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 9:43 a.m.