

EXECUTIVE SUMMARY

Board of Pilot Commissioners

General Information

Meeting Type: General Board Meeting

Meeting Date: October 9-10, 2003, Crowne Plaza Hotel, Key West, FL

Board Members: Victoria Robas, Chair
Cheryl Phipps, Vice Chair
Michael Buffington
John Hiers
Eugene Sweeney
David Leech
Richard Frudaker
Donald Molitor
Earl McMillin
Rivers Buford
Manuel Alonso-Poch

Other Attendees: Anthony Spivey, Executive Director
Elise Rice, Government Analyst
Ed Tellechia, Assistant Attorney General
Charles Tunnicliff, Prosecuting Attorney
Drew Winters, Prosecuting Attorney

Major Issues/Actions

- The Finance Committee met and reviewed the financial information presented to the board by the department. Commissioner Buffington, the Chair of the committee praised the department on the information provided to the board. Commissioner Buffington provided advance questions to the department regarding the financial statements to be responded to before the meeting. The board expressed gratitude in being provided the responses during the meeting. The board discussed the upcoming cash sweep on the interest in the board's account and the members did display some concern that the amount of the total sweep was a lot higher (\$25,000,000), as opposed to the previous sweep of \$7.5 million. The board was apprised that the actual allocation amounts to the respective boards have not been determined, and each board will be notified once the allocations are complete.
- Prosecuting Attorney Charles Tunnicliff introduced Drew Winters to the board as its new prosecutor that will be handling cases for the board. Mr. Winters previously served as a law clerk for a previous prosecuting attorney that reviewed cases for the board.

- Deputy Pilot openings were declared at the Port of Palm Beach and the Port of Port Everglades. The Port of Tampa had planned to declare openings during the meeting but declined its request.
- The board reviewed a request from the Florida State Pilots Association (FSPA) regarding an upcoming professional education seminar being sponsored by the association. The seminar will include topics regarding radar certification; tug safety; advances in piloting technologies and other related topics. The seminar is scheduled for November 17, 2003 in Key Biscayne, Florida. Upon review of the seminar materials, the board approved the association's request.
- Elections were held for a vice-chair since the previous vice-chair, Commissioner Weingart was replaced by a new board member, Commissioner McMillin. The board elected Commissioner Cheryl Phipps to serve as the new Vice-Chair.

Legislation/Rule Promulgation

- The Rules Committee met and reviewed the proposed language provided by the Assistant Attorney General regarding Rules 61G14-17.002 **Probable Cause Determination**; and 61G14-12.001 **Renewal of Licenses and Certificates**. The board provides for one member of the probable cause panel to be a former board member who holds an active Pilot license. Since the probable cause panel is recused during the disciplinary proceedings, this will provide for more members of the board to vote in the event that other members wanted to recuse themselves from a particular issue. Rule 61G14-12.001 is relative to the licensees who are spouses of members of the Armed Forces. This rule provides for the continuation of the licensee's license without having to perform the required renewal procedures when the licensee accompanies the military member on orders outside the state. The board felt that the Pilot profession has some special uniqueness such as an annual physical requirement and radar certification that requires more language in the proposed rule than initially presented. The board attorney will notice the rule without language and will bring additional language to the board for a rules workshop at the next board meeting in January.
- The board discussed the issue of having a Deputy Pilot appointed to the Port of Port Everglades because according to the port, the current deputy in training will not be certified in January, 2004, when the temporary certificate expires. The board has requested that in the event of a vacancy at the port, the Secretary make an appointment to the position from a previous pool of candidates. The board requested the Chair to contact the

Secretary either in writing or by phone explaining the situation in order to expedite the request of the board.

Anthony B. Spivey
Executive Director
October 13, 2003