

EXECUTIVE SUMMARY
Board of Pilot Commissioners

I. General Information

Meeting Type: Finance Committee, Rules Committee, Probable Cause Panel and General Business Meetings
Meeting Date: Thursday, October 4, 2007, and Friday, October 5, 2007
Meeting Location: Hilton Palm Beach Airport
150 Australian Avenue
West Palm Beach, Florida 33406-1473

Attendees:

Commissioner Cheryl Phipps, Chair
Commissioner Eric Bryson, Vice Chair
Commissioner Frances "Fran" Bohnsack
Commissioner Rivers H. Buford, Jr.
Commissioner John Fernandez
Commissioner Richard "Rick" Frudaker
Commissioner Donald "Don" N. Molitor
Robyn Barineau, Executive Director, Department of Business and Professional Regulation
Elise Rice, Government Analyst, Department of Business and Professional Regulation
Drew Winters, Assistant General Counsel, Department of Business and Professional Regulation
Michael Flury, Assistant Attorney General, Department of Legal Affairs
Galen W. Dunton, Consultant
Ron Christaldi, Counsel for Florida State Pilots Association
Jorge Viso, President, Florida State Pilots Association
Gretchen Rayborn, Executive Director, Florida State Pilots Association
Reid Hanson, Palm Beach Pilots Association
John Atchison, St. Johns Bar Pilots Association
Allen L. Thompson, Jr., Executive Director, Tampa Bay Pilots Association
Jim Fuller
Chris Marlowe
Louanne Rawls, Court Reporter

II. Major Issues/Actions

- Chair Cheryl Phipps welcomed new board member, Commissioner Fran Bohnsack.
- The Deputy Pilot Advancement Committee reviewed and approved the following Deputy Pilots for the next applicable training level:

- Captain Travis Bacon for level six of the training plan for the Port of Tampa Bay effective October 25, 2007;
 - Captain Joseph Lachnicht for level five of the training plan for the Port of Tampa Bay effective October 24, 2007; and
 - Captain Peter Glynn for level five of the training plan for the Port of Tampa Bay effective October 24, 2007.
- Vice Chair Eric Bryson reviewed the financial report for the year ending June 30, 2007, and provided the board with a budgetary handout. After reviewing the income and expense figures, he suggested the board reduce the gross pilotage assessment rate to 1/10 of one percent effective January 1, 2008. He added that should the expenses outpace the income, the assessment rate can be amended. Vice Chair Bryson informed the board that he will have more information at the next board meeting as the first quarter financial report will be available.
 - Mr. Michael Flury, Assistant Attorney General, informed the board that Rule 61G14-19.001, Florida Administrative Code, Percentage of Gross Pilotage Assessed, has been noticed for rule development should the board want to make changes to the gross pilotage assessment rate at the next meeting.
 - Mr. Flury also provided a handout and gave an overview of the rulemaking process as requested at the last board meeting.
 - The board approved the request of the St. Johns Bar Pilot Association for at least one Deputy Pilot from the March 2008 examination.
 - Ms. Robyn Barineau, Executive Director, informed the board that the top scoring candidate from the Port of Jacksonville and the top two scoring candidates from the Port of Tampa Bay from the March 2007 Deputy Pilot examinations were selected as Deputy Pilots for their respective ports.
 - Mr. Drew Winters, Assistant General Counsel, reported there are currently 22 pilot cases in the legal department. The board agreed to allow Mr. Winters to continue handling the five year-old pilot cases in the legal department.
 - The Probable Cause Panel closed eight cases with no finding of probable cause and closed two cases with a letter of guidance. The panel also asked Mr. Winters to send two of the respondents a letter of commendation for their excellent handling of vessels in potentially disastrous situations.
 - Ms. Barineau informed the board that she would soon be completing the annual Board of Pilot Commissioners newsletter and that Chair Phipps will be submitting her Chair article. She asked that should any of the commissioners have a suggested article topic to contact her with their suggestions.
 - Chair Phipps asked Ms. Barineau to relay the board's concern with the lack of members on the Pilotage Rate Review Board. She added that there is discussion that two ports are considering submitting an application for a rate increase and it is crucial that a full board be in place when this happens. Ms. Barineau added that she has spoken with the Gubernatorial Appointments Office about the concern with the lack of members, and that she will relay their concerns to Secretary Holly Benson.
 - Chair Phipps asked Ms. Barineau to relay to Secretary Benson the board's invitation for her to join them at one of their upcoming meetings.

- The board asked Mr. Flury to provide a brief overview of the Sunshine and Ethics Laws to the new board members at the next board meeting.
- The next board meetings will be conducted as follows:
 - January 17 and 18, 2008 – Panama City
 - April 3 and 4, 2008 – Key West or Ft. Lauderdale
 - July 17 and 18, 2008 – Ft. Lauderdale or Key West

III. Legislation/Rule Promulgation

- There was no legislation or rule promulgation.

IV. Action Required

- Board members will contact Ms. Barineau with any suggested article topics for the upcoming newsletter.
- Ms. Barineau will relay to Secretary Benson the board's concern with the lack of membership on the Pilotage Rate Review Board.
- Ms. Barineau will extend an invitation to Secretary Benson to join the board at one of their upcoming meetings.
- Mr. Flury will provide a brief overview of the Sunshine and Ethics Laws for the new board members at the next board meeting.

Robyn Barineau
Executive Director