

MINUTES OF THE MEETING

**BOARD OF PILOT COMMISSIONERS
Hutchinson Island Marriott Beach Resort & Marina
555 NE Ocean Boulevard
Hutchinson Island
Stuart, Florida 34996
July 14, 2006 9:00 a.m.**

CALL TO ORDER

Commissioner Robas, Chair of the Board, called the meeting to order at 9:05 a.m. She thanked Dave Leech, Ken Shields, Bill Wetzel and Tim Vaccaro for attending the meeting.

Members Present

Commissioner Robas, Chair
Commissioner Bryson
Commissioner Buford
Commissioner Fernandez
Commissioner Frudaker
Commissioner Hiers
Commissioner Molitor
Commissioner Phipps, Vice-Chair
Commissioner Sweeney

Members Not Present

Commissioner Buffington

Others Present

Robyn Barineau, Executive Director
Elise Rice, Government Analyst
Drew Winters, Prosecuting Attorney
Mary Ellen Clark, Board Counsel
Galen Dunton, Board Consultant
David Leech, Ft. Pierce Pilots Association
David de la Parte, Counsel for Florida State Pilots Association (FSPA)
Jorge Viso, President, FSPA
Gretchen Rayborn, Executive Director, FSPA
Bill Wetzel, Deputy Pilot, Ft. Pierce
Allen Thompson, Tampa Bay Pilots Association
Court Reporter

Commissioner Robas stated that Commissioner Buffington's absence was excused.

APPROVAL OF THE MINUTES OF THE MEETING

April 11, 2006

MOTION: Commissioner Phipps made a motion that the Board approve the minutes as submitted.

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

SETTLEMENT STIPULATION

William Roden – DBPR Case # 2004-022527

PCP - Phipps, Robas and Buffington

Captain Roden was not present at the meeting. Mr. Winters presented the case and informed the Board that Captain Roden had agreed to a settlement stipulation which called for costs in the amount of \$1337.57, and he be required to attend a simulator training course. He stated that the Department asked that the stipulation be adopted in toto.

Following discussion, the following action was taken.

MOTION: Commissioner Buford made a motion that the Board adopt the proposed settlement stipulation as presented.

SECOND: Commissioner Bryson seconded the motion which passed with Commissioner Sweeney voting against the motion.

PROSECUTING ATTORNEY'S REPORT – DREW WINTERS

Mr. Winters provided the Board with a copy of his report. He reported that there are 22 cases in Legal at this time.

REQUEST FOR STATE PILOT EXAMINATIONS

Reid Hansen – Palm Beach Harbor Pilots' Association

Commander Dunton reported that Captain Hansen has received the approval of the Palm Beach Harbor Pilots' Association and will complete his 21 months of service, and is, therefore, eligible to sit for the State Pilot Examination.

MOTION: Commissioner Sweeney made a motion that the Board approve Captain Reid Hansen to take the State Pilot Examination.

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

Rickie Montoya – Port Everglades Pilots

Jeff Robben – Port Everglades Pilots

Commander Dunton reported that Captain Montoya and Captain Robben have received the approval of the Port Everglades Pilots' Association, both are in the

last phase of their training, and will have completed 21 months of service, and are, therefore, eligible for the State Pilot Examination.

MOITON: Commissioner Frudaker made a motion that the Board approve Captain Rickie Montoya and Captain Jeff Robben for the State Pilot Examination.

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

Brendan McMillin – Canaveral Pilots Association

Commander Dunton reported that Captain McMillin received the approval of the Canaveral Pilots Association, will have completed 21 months of service, and will be in the final days of training, and, therefore, is eligible for the State Pilot Examination.

MOTION: Commissioner Molitor made a motion that the Board approve Captain Brendan McMillin for the State Pilot Examination.

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

REQUEST FOR DEPUTY PILOT OPENING

Tampa Bay Pilots Association

Mr. Allen Thompson, Tampa Bay Pilots Association, informed the Board that they were requesting at least one deputy for the March 2007 examination. He stated that they had one pilot retiring this month and one that will retire next July.

MOTION: Commissioner Buford made a motion that the Board approve the request from Tampa Bay Pilots Association for at least one deputy from the March 2007 examination.

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

REPORTS

Chair's Report – Commissioner Robas

Commissioner Robas thanked Captain Leech for all of his work to prepare for the Board's visit.

Commissioner Robas stated that at this time, the Board would evaluate Ms. Mary Ellen Clark. The Board asked her to leave the room for evaluation.

Commissioner Robas asked for any comments.

MOTION: Commissioner Buford made a motion that Ms. Clark had done an exceptional job and that the Board highly recommend her continuance with the Board.

SECOND: Commissioner Molitor seconded the motion which passed with Commissioner Frudaker voting against the motion.

Finance Committee Report – Commissioner Sweeney

Commissioner Sweeney reported that the Committee met yesterday and reviewed the third quarter financial statement. He stated that they were satisfied with numbers, comfortable with reserves, and that based on the performance, the gross pilotage rate was in line.

Rules Committee Report – Commissioner Phipps

Commissioner Phipps reported that the Committee met yesterday and amended Rule 61G14-12.0015, F.A.C., which will be submitted for approval. She stated that there will be a notice for rule development on Rule 61G14-17.004, F.A.C., for the next meeting at which time, Ms. Clark will bring the draft language for review.

MOTION: Commissioner Buford made a motion that the Board approve the report of the Rules Committee and authorize Board Counsel to proceed with rule development.

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

Probable Cause Panel Report – Commissioner Robas

Commissioner Robas reported that the Panel met yesterday and reviewed four cases of which all were closed.

Board Counsel’s Report – Mary Ellen Clark

Ms. Clark did not have a report to give at this time.

Executive Director’s Report – Robyn Barineau

Newsletter Articles

Ms. Barineau solicited suggestions for articles for the newsletter and asked the members to forward any suggestions to her.

Board Membership

Ms. Barineau stated that the Department was always soliciting for consumer members for any board. She asked if any member knew of anyone interested in serving on any board to have them contact her, and she would supply them with a Gubernatorial Appointments Questionnaire.

Port Security – Commissioner Molitor

Commissioner Molitor stated that articles of interest were included in the agenda book and that he was also including other articles that he thought might be of interest.

CORRESPONDENCE

Complaints and Investigative Statistics July 05-May 06

This was provided for informational purposes.

NEW BUSINESS

Commissioner Robas stated that the next meeting will be held in Pensacola on September 28 & 29, 2006.

The Board set the date for the January meeting as the 22nd & 23rd in Palm Beach or Miami.

Commander Dunton informed the Board that he would be out-of-state until August 1, however, he would leave the Board office with contact information.

OLD BUSINESS

There was no old business to come before the Board at this time.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:00 a.m.