

EXECUTIVE SUMMARY
Board of Pilot Commissioners

I. General Information

Meeting Type: Probable Cause Panel and General Business Meeting
Meeting Date: Thursday, October 6, 2011, and Friday, October 7, 2011
Meeting Location: Embassy Suites – Fort Lauderdale
1100 S.E. 17th Street
Fort Lauderdale, Florida 33316

Attendees:

Commissioner Jorge Viso, Vice Chair
Commissioner Eric Bryson
Commissioner John Fernandez
Commissioner John Fox
Commissioner Matthew Sams
Commissioner Thayer Smith
Commissioner Carlos Trueba
Commissioner David Ulrich

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Elise Rice, Government Analyst, DBPR
Erica White, Assistant General Counsel, DBPR
Michael Flury, Assistant Attorney General, Office of the Attorney General
Galen W. Dunton, Board Consultant
Joe Brown, President, Florida Harbor Pilots Association (FHPA)
Steve Gasecki, Vice President, FHPA
Gretchen Rayborn, Executive Liaison, FHPA
Warren Husband, Attorney for FHPA
Allen L. Thompson, Jr., Executive Director, Tampa Bay Pilots Association
Stuart Lilly, Biscayne Bay Pilots Association
Bill Rhoden, Palm Beach Pilots Association
Cheryl Phipps, Port Everglades Pilots Association (PEPA)
Rick Montoya, PEPA
Andy Edelstein, PEPA
Dan Ramsay, Florida Docking Masters Association

II. Major Issues/Actions

- Vice Chair Jorge Viso welcomed new members, Mr. Carlos Trueba and Captain David Ulrich, to the Board of Pilot Commissioners.
- Vice Chair Viso excused the absences of Commissioners Rick Frudaker and Anthony Clemente from the meeting.
- Vice Chair Viso presented Captain Cheryl Phipps with a plaque honoring her 11 years of dedicated service on the Board of Pilot Commissioners.

- Ms. Erica White, Assistant General Counsel, informed the board that 19 cases were considered at the Probable Cause Panel meeting, and there are two cases currently in the Legal Section.
- Captain Stuart Lilly informed the board that the Biscayne Bay Pilots Association is requesting at least three deputy pilots from the March 2012 deputy pilot examination due to impending retirements and an increase in traffic. The board approved the request of the Biscayne Bay Pilots Association for at least three deputy pilots from the March 2012 examination.
- Captain Andy Edelstein informed the board that the Port Everglades Pilot Association is requesting at least one deputy pilot from the March 2012 deputy pilot examination due to an impending retirement. The board approved the request of the Port Everglades Pilots Association for at least one deputy pilot from the March 2012 examination.
- The board approved the request of the Fort Pierce Pilots Association for a cross-licensed deputy pilot in Fort Pierce. Captain Brian Seuter has expressed an interest in serving as a cross-licensed deputy pilot in Fort Pierce.
- The board agreed to repeal the following rules:
 - Rule 61G14-10.002, Florida Administrative Code – Designation of Official Reporter; rule is not statutorily mandated
 - Rule 61G14-15.002(2), Florida Administrative Code – Marine Incident Report; rule substantially restates the statute.
- Vice Chair Viso informed the board that three Deputy Pilot Advancement Committee conference calls had been conducted since the last meeting.
- Commissioner Eric Bryson discussed the financial report for the year ending June 30, 2011. He indicated that the gross pilotage assessment rate is currently 7/10 of one percent. After discussion, the board agreed that no amendment should be made to the gross pilotage assessment at this time.
- Commissioners John Fernandez reported that the Probable Cause Panel took the following action:
 - 12 cases – closing orders
 - 5 cases – probable cause found
 - 1 case – letter of guidance
 - 1 case – returned for further investigation
- Vice Chair Viso informed the board that the Pilotage Rate Review Committee met and deliberated in Fort Pierce and Pensacola since the last Board of Pilot Commissioners meeting.
- Ms. Robyn Barineau, Executive Director, informed the board of the proposed meeting schedule as follows:
 - January 12 and 13, 2012 – Fernandina Beach
 - No April meeting
 - July 11 and 12, 2012 – Port Canaveral
- Mr. Michael Flury, Assistant Attorney General, informed the board that port tours may be conducted at the various Florida ports for educational purposes. The tours must be noticed as a public meeting and should state that no official business will be conducted by the board. An issue was raised about payment of the tours. Commissioner Bryson suggested that this expense be borne by the board and paid out of their operating account. More research will be conducted about the port tour expense/payment. The board asked that a tour of the Port of Fernandina be conducted in conjunction with the January 2012 meeting.

- Commissioners John Fernandez and Jorge Viso were unanimously elected Chair and Vice Chair, respectively, of the Board of Pilot Commissioners.

III. Legislation/Rule Promulgation

- Mr. Flury will move forward with the repeal of Rules 61G14-10.002, Florida Administrative Code – Designation of Official Reporter, and 61G14-15.002(2), Florida Administrative Code – Marine Incident Report.

IV. Action Required

- Mr. Flury and Ms. Barineau will further research the particulars of funding port tours and provide more information to the board at their January 2012 meeting.
- The board has asked to participate in a tour of the Port of Fernandina in conjunction with their January 2012 meeting.

Robyn Barineau
Executive Director
October 14, 2011