

**MINUTES OF THE MEETING**  
**RULES COMMITTEE MEETING**  
**BOARD OF PILOT COMMISSIONERS**  
**Tampa Marriott Westshore**  
**1001 North Westshore Boulevard**  
**Tampa, FL**  
**October 1, 2009**

**CALL TO ORDER**

Commissioner Frudaker, Chair of the committee, called the meeting to order at 1:25 p.m.

**Members Present**

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

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Galen Dunton, Consultant  
Michael Flury, Board Counsel  
Eric Hurst, Prosecuting Attorney  
Diane Moore, Prosecuting Attorney  
Mike Buffington, Tampa Bay Pilots Association (TBPA)  
Joe Brown, Florida State Pilots Association (FSPA)  
Warren Husband, FSPA  
Kelly Fowler, TBPA  
Allen Thompson, TBPA  
John Teems, St Johns Bar Pilot Association (SJBPA)  
John Atchison, SJBPA  
Gretchen Rayborn, FSPA  
Jorge Viso, TBPA  
Dan Ramsey, Florida Docking Masters  
Jay Winegeart, SJBPA

**APPROVAL OF THE MINUTES OF THE MEETING**  
**July 23, 2009**

Commissioner Fernandez stated that the minutes indicated .08%, they should reflect 0.8% for the gross pilotage assessment.

MOTION: Commissioner Bryson made a motion that the minutes be approved as amended.

SECOND: Commissioner Buford seconded the motion, and it passed unanimously.

#### **RULES REPORT – MICHAEL FLURY**

Mr. Flury reported that the rule change for boarding and disembarking was in effect. He stated that the effective date for the gross pilotage assessment will be changed to January 1, 2010, and Rule 61G14-16.001, F.A.C., was opened for rule development.

MOTION: Commissioner Buford made a motion that the committee accept the recommendation of the Finance Committee to change the effective date for the gross pilotage assessment to January 1, 2010.

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

#### **CLOSE PROXIMITY – COMMISSIONER PHIPPS**

##### **Alaska and Washington State Rules**

##### **Memorandum of Understanding & Agreement**

Commissioner Phipps stated that she had received additional information that was not included in the agenda and wanted to table this until the next meeting.

MOTION: Commissioner Buford made a motion that the committee table this item until the next meeting of the Rules Committee.

SECOND: Commissioner Phipps seconded the motion, and it passed unanimously.

#### **DISCUSSION REGARDING THE ISSUE OF TURNING OVER THE CONN OF A VESSEL**

Commander Dunton stated that the document included in the agenda regarding the Memorandum of Understanding & Agreement was included to help with the definitions of close proximity. The other issue is this memorandum is an agreement between the docking masters and pilots in Jacksonville. Commander Dunton commented that it has been used in unlicensed activity cases and has been a precedent setting scenario. He provided background information regarding the memorandum.

Commissioner Frudaker stated that the conn and close proximity issues were outlined in Chapter 310, Florida Statutes (F.S.), where it defines the docking and undocking.

Following discussion, no action was taken.

#### **OLD BUSINESS**

There was not old business to come before the committee at this time.

**NEW BUSINESS**

There was no new business to come before the committee at this time.

**ADJOURNMENT**

There being no further business to come before the committee, the meeting was adjourned at 2:50 p.m.