

**MINUTES OF THE MEETING
BOARD OF PILOT COMMISSIONERS**

**Hampton Inn Oceanfront
1515 First Street North
Jacksonville Beach, FL 32250
904.241.2311**

January 19, 2018

9:00 A.M. EST

Approved April 27, 2018

**GENERAL BOARD BUSINESS
Friday, January 19, 2018 9:00 A.M**

CALL TO ORDER

Meeting was called to order by Chair Kurtz at 9:02 am EST

Members Present:

Commissioner Kurtz, Chair
Commissioner Winegeart, Vice-Chair
Commissioner Benson
Commissioner Cumings
Commissioner Jaccoma
Commissioner Oatis
Commissioner Sola

Members Absent

Commissioner Assal-excused
Commissioner Phipps-excused
Commissioner Wilkins-excused

Others Present

Krista Woodard, Executive Director
Clark Jennings, Board Attorney
Anne Ahrendt, Government Analyst
Dave Eddins, Southern Federal Pilots
Warren Husband, Florida Harbor Pilots Association
Gretchen Winters, Florida Harbor Pilots Association
Sam Stephenson, Florida Harbor Pilots Association
Ben Borgie, Florida Harbor Pilots Association
Allen Thompson, Tampa Bay Pilots Association
William H. Kavanaugh Jr., St. Johns Bar Pilot Association
Brian Seuter, St. Johns Bar Pilot Association

**RATE REVIEW COMMITTEE
PULLED FROM AGENDA**

GENERAL BOARD MEETING.

APPROVAL OF MINUTES

Minutes of October 31, 2017 Meeting of the Board

A motion was made by Commissioner Jaccoma to approve the October 31, 2017 minutes and seconded by Commissioner Benson. Motion carried.

REQUEST FOR STATE PILOT EXAMINATIONS

- CAPTAIN MATTHEW RILEY – TAMPA BAY PILOTS ASSOCIATION

A motion was made by Commissioner Jaccoma to approve Captain Matthew Riley of the Tampa Bay Pilots to sit for the State Pilot Examination and seconded by Commissioner Bruce Cumings. Motion carried.

- CAPTAIN JOHN TIMMEL – TAMPA BAY PILOTS ASSOCIATION

A motion was made by Commissioner Cumings to approve Captain John Timmel of the Tampa Bay Pilots to sit for the State Pilot Examination and seconded by Commissioner Benson. Motion carried.

**REVIEW AND APPROVAL OF APPLICANTS FOR DEPUTY PILOT OPENINGS FOR PORT
CANAVERAL, PORT EVERGLADES, PORT OF PALM BEACH AND PORTS OF TAMPA BAY-
COMMANDER GALEN DUNTON (USCG RET.)**

PORT CANAVERAL

Commander Dunton stated that the following applicants met the requirements to take Deputy Pilot examination for Port Canaveral: Trevor Cardin, Nathan Cerato, Alex Cruz-Hernandez, Alexander Delters, Justin Facciolo, Andrew Gillilan, Jeff Harris, Darin Huggins, Jesselyn Johnston, Niall Kennedy, Michael La Maina, Christopher Megregian, Robert Moore II, Nathan Sherr, and Joel Solieu.

Commissioner Winegeart made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2018 Port Canaveral Deputy Pilot Examination. The motion was seconded by Commissioner Oatis. Motion carried.

PORT OF PALM BEACH

Commander Dunton stated that the following applicants met the requirements to take Deputy Pilot examination for Port of Palm Beach: Eric Baker, Dane Britt, Jonathan Bush, Robert Grunow, Charles Jones, James Maye IV, Patrick Nolan, and Dana Ryan.

Commissioner Jaccoma made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2018 Port of Palm Beach Deputy Pilot Examination. The motion was seconded by Commissioner Winegeart. Motion carried.

PORT EVERGLADES

Commander Dunton stated that the following applicants met the requirements to take Deputy Pilot examination for Port Everglades: Justin Allen, Casey Desiderio, Travis Diemert, Mark Exner, Darin Huggins, Dustin Leserra, Thomas Lisante II, Jonathan Nadeau, Kaitlin O'Brien, Manuel Reyes Luciano, Dana Ryan, Kevin Schumacher, Michael Thompson, James Walley Jr., David Walraven, Sean Wentworth, and Alexander Zhechkov.

Commissioner Benson made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2018 Port Everglades Deputy Pilot Examination. The motion was seconded by Commissioner Cuming. Motion carried.

PORTS OF TAMPA BAY

Commander Dunton stated that the following applicants met the requirements to take Deputy Pilot examination for Ports of Tampa Bay: Brett Baker, Robert Baker, Erik Boothe, Charity Chmielewski, Justin Facciolo, Michael Foley Jr., Christopher Hatzidakis, Joseph Kasprzycki III, Stephen Kurcharski, Clint McCay, Peter McGrail, Brendan Myers, Nicholas Nastasi, Richard Nolan, Kyle O'Connor; Christopher Pyne Mercier, Kyle Scannell, Kenneth Sears Jr. and Kerry Smith.

Commissioner Oatis made a motion to approve the candidates as presented by Commander Dunton to sit for the March 2018 Ports of Tampa Bay Deputy Pilot Examination. The motion was seconded by Commissioner Benson. Motion carried.

NOTICE OF INTENT TO DENY

Commander Dunton stated that the application file for George Alger III demonstrated that the applicant only had sea time on oil supply vessels; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for George Alger III as he did not meet the requirements to sit for the March 2018 Port of Palm Beach Deputy Pilot Examination. Motion seconded by Commissioner Oatis. Motion carried.

Commander Dunton stated that the application file for Kenneth Almeyda demonstrated the applicant only had sea time on oil supply vessels; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Kenneth Almeyda as he did not meet the requirements to sit for the March 2018 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated that the application file for Christina Betancourt demonstrated the applicant was shy 172 days sea time as second mate and failed to provide at proof of at least a high school education; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Christina Betancourt as she did not meet the requirements to sit for the March 2018 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Benson. Motion carried.

Commander Dunton stated that the application file for Bryan Dietz demonstrated the applicant only had sea time on oil supply vessels and that he had failed to provide proof of at least a high school education; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Bryan Dietz as he did not meet the requirements to sit for the March 2018 Port Canaveral Deputy Pilot Examination. Motion seconded by Commissioner Jaccoma. Motion carried.

Commander Dunton stated that the application file for Brendan Hanley demonstrated the applicant was shy 53 days of the 600 days of seetime required; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Brendan Hanley as he did not meet the requirements to sit for the March 2018 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Jaccoma. Motion carried.

Commander Dunton stated that the application file for Hunter Karass demonstrated the applicant only had sea time on oil supply vessels; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Hunter Karass as he did not meet the requirements to sit for the March 2018 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated that the application file for Jonathan Leck demonstrated the applicant failed to provide a physical, failed to pay the required fee and was shy 26 days of the required seetime; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Jonathan Leck as he did not meet the requirements to sit for the March 2018 Port Canaveral Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated the application file for Jeffrey Malcolm demonstrated the applicant was shy 250 days of the required sea time and had failed to submit the required drug test; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for Jeffrey Malcolm as he did not meet the requirements to sit for the March 2018 Ports of Tampa Bay Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated that the application file for John Rodriguez-Rivera demonstrated the applicant was shy of 245 days of the required 600 days of sea time and had failed to submit a copy of his license; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for John Rodriguez-Rivera as he did not meet the requirements to sit for the March 2018 Port Canaveral Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated that the application file for Christopher Sparks demonstrated the applicant only had failed to submit proof of a current drug test; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-20.001 F.A.C.

A motion was made by Commissioner Sola to deny the application for Christopher Sparks as he did not meet the requirements to sit for the March 2018 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated the application file for Joshua Tsoumis demonstrated the applicant only had sea time as a mate on a tugboat and failed to submit a current drug test; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rules 61G14-11.002 and 64G14-20.001 F.A.C.

A motion was made by Commissioner Sola to deny the application for Joshua Tsoumis as he did not meet the requirements to sit for the March 2018 Port Everglades Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

Commander Dunton stated that the application file for William Walsh demonstrated the applicant only had sea time on oil supply vessels; therefore, the applicant failed to meet the requirements for maritime experience as set forth in section 310.071, F.S., & rule 61G14-11.002 F.A.C.

A motion was made by Commissioner Sola to deny the application for William Walsh as he did not meet the requirements to sit for the March 2018 Port of Palm Beach Deputy Pilot Examination. Motion seconded by Commissioner Cumings. Motion carried.

REPORTS

Chair Report – Commissioner Kurtz-

At the October board meeting Commissioner Benson requested that the chair present an acknowledgement of the role the Harbor Pilot Associations played during the 2017 hurricane season. Chair Kurtz read into the record an article written by the Florida Harbor Pilot Association President Captain Sam Stephenson that appeared in the September October 2017 newsletter. (Transcript attached.) Chair Kurtz thanked Captain Stephenson for the article.

Deputy Pilot Advancement Committee Report-Commissioner Kurtz on behalf of Commissioner Phipps.

Approved the November 28, 2017 Committee Minutes.

Approved the January 4, 2018 Committee Minutes.

Board Attorney Report – Clark Jennings

The Board Attorney, Marlene Stern, was unable to attend due to illness. Clark Jennings came on her behalf but had nothing to report.

Executive Director Report-Krista Woodard

Director Woodard presented the Financial Reports as of September 30, 2017.

RATIFICATION LISTS

Deputy Pilot Advancement Ratifications

A motion was made by Commissioner Cumings and seconded by Commissioner Benson to approve the Deputy Pilot Advancements from November 2, 2017 – January 4, 2018. Motion carried.

PUBLIC COMMENTS

Dave Eddins from Southern Federal Pilots addressed the Board and asked the following: “If there is no safety or lack of payment issues, then if a vessel representative of an American vessel going coast wise calls out a State Pilot for pilot service, does the State Pilot have to supply service? Yes or No?”

Chair Kurtz reminded the Board that it was not the Board’s responsibility to interpret the Federal law.

NEW BUSINESS

ELECTIONS

A motion was made by Commissioner Winegeart and seconded by Commissioner Oatis to retain Commissioner Kurtz as chair for the Board of Pilot Commissioners. Motion carried.

A motion was made by Commissioner Kurtz and seconded by Commissioner Winegeart to nominate Commissioner Jaccoma for the position of Vice Chair of the Board of Pilot Commissioners. Motion carried.

Chair Kurtz asked for volunteers to serve on the Probable Cause Panel. Commissioner Sola volunteered as the consumer member, Commissioner Cumings as the pilot member and Commissioner Jaccoma as the alternate.

Chair Kurtz asked Commissioner Cumings to serve of as chair and Commissioner Oatis of the Legislative Committee. Both commissioners agreed to serve.

Travel dates – Chair Kurtz asked that the Board not meet in July.

OLD BUSINESS

Ratification of changes made during committee meetings on January 19, 2017. No action was taken due the absence of Marlene Stern, board counsel.

The Rate Review Committee Counsel, Clark Jennings, updated the Board on the PortMiami application status as it stands with Division of Administrative Hearings process.

Performance Evaluation of Galen Dunton

Commissioner Kurtz, Commissioner Sola and Captain Allen Thompson of the Tampa Bay Pilots spoke in favor of Commander Dunton's performance. Chair Kurtz will write a letter in favor of Commander Dunton.

ADJOURNMENT

Meeting was adjourned at 10:07 a.m. EST.