

EXECUTIVE SUMMARY
Board of Pilot Commissioners

I. General Information

Meeting Type: Finance Committee, Rules Committee, and General Business Meetings
Meeting Date: Monday, September 29, 2008, and Tuesday, September 30, 2008
Meeting Location: Hyatt Regency Jacksonville Riverfront
225 Coast Line Drive, East
Jacksonville, Florida

Attendees:

Commissioner Cheryl Phipps, Chair
Commissioner Eric Bryson, Vice Chair
Commissioner Frances "Fran" Bohnsack
Commissioner Harold "Hap" Brandenburg
Commissioner Rivers H. Buford, Jr.
Commissioner John Fernandez
Commissioner Richard "Rick" Frudaker
Commissioner Jeffrey Jones
Commissioner Donald "Don" N. Molitor
Secretary Charles W. Drago, Department of Business and Professional Regulation
Robyn Barineau, Executive Director, Department of Business and Professional Regulation
Elise Rice, Government Analyst, Department of Business and Professional Regulation
Philip "Phil" Monte, Assistant General Counsel, Department of Business and Professional Regulation
Michael "Mike" Flury, Assistant Attorney General, Department of Legal Affairs
Galen W. Dunton, Consultant
Warren Husband, Counsel for Florida State Pilots Association
Drew Winters, Durst & Harnden, P.A.
Joe Brown, President, Florida State Pilots Association
Stephen Gasecki, First Vice President, Florida State Pilots Association
Gretchen Rayborn, Executive Liaison, Florida State Pilots Association
Allen L. Thompson, Jr., Executive Director, Tampa Bay Pilots Association
Jay Weingart, St. Johns Bar Pilot Association
Brian Seuter, Cumberland Sound Pilots Association
Tony Hogg, Florida Docking Masters Association

II. Major Issues/Actions

- Chair Cheryl Phipps introduced Secretary Charles W. Drago and welcomed him to the board meeting. Secretary Drago thanked the board for the opportunity to introduce himself and indicated that he has learned a great deal about the harbor piloting profession. He gave the board a brief overview of his professional career including 32 years in law enforcement. He mentioned some of the initiatives the department is currently pursuing. Secretary Drago added that the department is attempting to streamline processes in accordance with Governor Crist's Accelerate Florida initiative. Secretary Drago informed the board that he has met with licensees and others impacted by the department during his trips around the state and in accordance with his On the Road to Better Business initiative. He also advised the board that Ms. Maureen Olson has recently been selected as the Deputy Secretary for Professional Regulation and that she will likely attend one of their future meetings to introduce herself. Chair Phipps informed Secretary Drago that should he ever be in a port city and he be interested in participating in a trip with a pilot to a ship, she is sure that any pilot association would be willing to accommodate his request.
- Vice Chair Eric Bryson discussed the financial report for the year ending June 30, 2008, and his budgetary handout included in the supplemental agenda. He indicated that based on the projected revenue and expenses, and without any Division of Administrative Hearings costs or Pilotage Rate Review Board costs, he anticipates a balance of \$110,505 in the operating account. He suggested that the gross pilotage assessment remain at 8/10 of one percent until the board is able to review the first quarter financial report at the next board meeting.
- Commissioner Rick Frudaker stated that he asked that Rule 61G14-11.008, Florida Administrative Code – Cross Licensing be discussed at this meeting because of some proposed business in Port St. Joe and the possible need for a pilot in that area. Assistant Attorney General Mike Flury indicated that the current rule only allows State Pilots to be cross licensed and not Deputy Pilots. Commander Galen Dunton suggested that the Port of Panama City be changed to include Port St. Joe. Commissioner Frudaker indicated that he understands that Port St. Joe wants their own port in the future. The board took no action on this rule.
- Mr. Phil Monte, Assistant General Counsel, introduced himself to the board as their new prosecuting attorney. He reported there are currently 14 pilot cases in the legal department.
- The board approved the request of Tampa Bay Pilots Association to allow Deputy Pilot Peter Glynn and Deputy Pilot Joseph Lachnicht to sit for the State Pilot examination. Through their Executive Director, Captain Allen L. Thompson, Jr., the Tampa Bay Pilots Association asked that the State Pilot examination be conducted before March 2009. The board agreed to their request and asked Ms. Robyn Barineau, Executive Director, to contact Captain Thompson as to the date of the examination.

- The board approved the request of the St. Andrews Bay Pilots Association for at least one Deputy Pilot from the March 2009 examination.
- The board conducted their annual evaluation of the Executive Director, Consultant, and Assistant Attorney General.
- Ms. Barineau informed the board that the next meeting is scheduled for January 2009 in Pensacola.
- Chair Phipps indicated that the National Transportation Safety Board (NTSB) has not released their report on their investigation into the accident in which the M/V Cosco Busan spilled fuel oil after striking the San Francisco-Oakland Bay Bridge. She will keep the board posted of any further developments.

III. Legislation/Rule Promulgation

- There was no additional legislative or rule promulgation.

IV. Action Required

- Ms. Barineau will contact the Tampa Bay Pilots Association with a proposed date for the State Pilot examination.
- Chair Phipps will keep the board apprised of any developments in the NTSB matter.

Robyn Barineau
Executive Director
October 3, 2008