

EXECUTIVE SUMMARY
Board of Pilot Commissioners

I. General Information

Meeting Type: Finance Committee, Rules Committee, and General Business Meetings
Meeting Date: Thursday, January 20, 2011, and Friday, January 21, 2011
Meeting Location: Hyatt Regency Jacksonville - Riverfront
225 East Coastline Drive
Jacksonville, Florida

Attendees:

Commissioner Cheryl Phipps, Chair
Commissioner Louis Boue'
Commissioner Eric Bryson
Commissioner John Fernandez
Commissioner John Fox
Commissioner Richard "Rick" Frudaker
Commissioner Matthew Sams
Commissioner Thayer Smith
Commissioner Jorge Viso

Robyn Barineau, Executive Director, Department of Business and Professional Regulation (DBPR)
Elise Rice, Government Analyst, DBPR
Jody Lane, Assistant General Counsel, DBPR
Tim Dennis, 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
Margaret Matthews, Attorney at Law
Allen L. Thompson, Jr., Executive Director, Tampa Bay Pilots Association (TBPA)
Charles Hand, Biscayne Bay Pilots Association
Christopher Marlow, St. Andrews Bay Pilots Association
Ben Borgie, Canaveral Pilots Association
John Atchison, St. Johns Bar Pilot Association (SJBPA)
Jay Winegeart, SJPBA
Phil Thomas, SJPBA
David Ulrich, Port Everglades Pilots' Association (PEPA)
Brian Seuter, Cumberland Sound Pilots Association
Tony Hogg, Florida Docking Masters Association
Denice Taylor, Court Reporter

II. Major Issues/Actions

- Chair Cheryl Phipps welcomed all five new board members and excused Commissioner Anthony Clemente from the meeting.
- Commissioner Eric Bryson discussed the financial report for the quarter ending September 30, 2010. 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. Ms. Robyn Barineau, Executive Director, advised the board that the financial report for the second quarter of the 2010-2011 fiscal year should be released around February 15, 2011.
- Mr. Tim Dennis, Assistant Attorney General, gave an overview of Executive Order 11-01 relating to rulemaking.
- The board discussed updating their Rule 61G14-20.001, Florida Administrative Code – Deputy Pilots’ and State Pilots’ Physical and Mental Capabilities, to include, by reference, the new United States Coast Guard’s Physical Form. The board agreed to table this discussion to a future meeting.
- Regarding case number 2006.003567 against Captain Preston Shelton, the board approved a Settlement Stipulation imposing a fine of \$500 and costs of \$4,000.
- Regarding case number 2009.039482 against Stephen Sottak, the board approved a Settlement Stipulation imposing costs of \$2,319.68 and requiring his completion of simulation training.
- Ms. Jody Lane, Assistant General Counsel, reported that there are currently no pilot cases in the legal department.
- The following individuals were approved to sit for the March 2011 Deputy Pilot examination for the Port of Jacksonville:
 - Nathan Cook
 - Todd Cooper
 - Christopher Kincaid
 - Curtis Laskowski
 - Thomas Lisante
 - Christopher Marlow
 - Timothee Paternoster
 - Martin Poole
 - Joseph Purcell
 - Robert Reese
 - Jeffrey Ritter
 - Luke Sloane
 - Julian Stubbs
 - Ryan White
- The following individuals were approved to sit for the March 2011 Deputy Pilot examination for the Port of Miami:
 - Roberto Garcia
 - Christopher Kincaid
 - Timothee Paternoster
 - Geoffrey Pool
 - Martin Poole
 - Joel Prescod
 - John Pritchett
 - Robert Ripley

- Julian Stubbs
- Ryan Sweeney
- Charles Zenter
- The board denied the requests of the following individuals to sit for the March 2011 Deputy Pilot examinations as follows:
 - Todd Geary (Port of Miami) – did not have the required sea service
 - Matthew Gomolka (Ports of Miami and Jacksonville) – no supporting documentation
 - Dustin Leserra (Port of Miami) – did not have the required sea service
 - Derek Solar (Port of Miami) no supporting documentation
- The board approved the request of the Biscayne Bay Pilots Association to increase from at least one Deputy Pilot to three Deputy Pilots from the March 2011 examination.
- Chair Phipps informed the board that future meetings will be one day in length, with the Probable Cause Panel meeting at 3 p.m. the day prior to the board meeting.
- Chair Phipps informed the board that the next meeting will be conducted in July 2011 in Hutchinson Island.
- Chair Phipps informed the board that two Deputy Pilot Advancement Committee conference calls had been conducted since the last meeting, and all Deputy Pilots were advanced to the next levels of their appropriate training programs.
- The Probable Cause Panel closed seven cases with no finding of probable cause.
- Ms. Barineau mentioned that the Investigative Committee's report for the Port of Pensacola rate application should be available very soon. She added that a meeting of the Pilotage Rate Review Committee will be scheduled within the next several months to tour the Port of Pensacola and conduct a rate hearing.
- Mr. Dennis informed the board that a settlement offer had been submitted in the rate increase matter for the Port of Ft. Pierce and that a meeting of the Pilotage Rate Review Committee to review the settlement offer will be scheduled very soon.
- The board unanimously elected Commissioner Jorge Viso as Vice Chair of the Board of Pilot Commissioners.
- Chair Phipps appointed Commissioner Louis Boue' as Chair of the Finance Committee and Commissioner Bryson as Vice Chair of the Finance Committee.
- Chair Phipps appointed Commissioner Smith and former board member, Captain Jay Winegeart, to the Probable Cause Panel.
- Chair Phipps appointed Commissioner Viso as Interim Chair of the Pilotage Rate Review Committee.
- Commissioner Bryson asked that Mr. Dennis and Ms. Barineau revisit the issue of participating in port tours and let the board know whether or not future port tours can be conducted.
- New board member training was conducted.

III. Legislation/Rule Promulgation

- There was no legislation/rule promulgation at this meeting.

IV. Action Required

- The board will discuss Rule 61G14-20.001, Florida Administrative Code – Deputy Pilots' and State Pilots' Physical and Mental Capabilities, at their July meeting.

- Mr. Dennis and Ms. Barineau will research whether or not board members and staff can participate in port tours conducted by the various pilot associations.

Robyn Barineau
Executive Director
January 27, 2011