

**MINUTES OF THE MEETING**  
**PROBABLE CAUSE PANEL**  
**BOARD OF PILOT COMMISSIONERS**  
**Hutchinson Island Marriott Resort**  
**555 NE Ocean Boulevard**  
**Stuart, FL**  
**April 29, 2009**

**CALL TO ORDER**

Commissioner Phipps, Chair of the panel, called the meeting to order at 2:15 p.m.

**Members Present**

Commissioner Phipps  
Commissioner Frudaker  
Commissioner Molitor

**Others Present**

Robyn Barineau, Executive Director  
Elise Rice, Government Analyst  
Phil Monte, Prosecuting Attorney  
Tom Barnhart, Board Counsel  
Galen Dunton, Board Consultant  
Margaret Mathews, Akerman Senterfitt, P.A.  
Fran Bohnsack, Board Member  
John Fernandez, Board Member

Mr. Monte asked that anyone present for the public cases, other than those that are a part of the panel, leave the room so there will not be a problem when the cases may or may not be heard by the board. Ms. Mathews stated that she raised this issue because there is a lot of hearsay in the reports, and there could be a problem.

Commissioner Bohnsack left the room at that time. Commissioner Fernandez was on both cases when initial probable cause was found, so he did not leave.

Mr. Monte provided the details in case #2006-002567 against Captain Preston Shelton.

Following discussion, the following action was taken.

**MOTION:** Commissioner Molitor made a motion that the panel proceed with Count I and Count III.

**SECOND:** The motion died for lack of a second.

MOTION: Commissioner Frudaker made a motion to proceed with Count I only in this case.  
SECOND: Commissioner Phipps seconded the motion and it passed unanimously.

Mr. Monte provided the details of Case #2005-051353 against Captain Richard Van Enige.

Following discussion, the following action was taken.

MOTION: Commissioner Molitor made a motion that the panel dismiss the case.  
SECOND: Commissioner Frudaker seconded the motion and it passed unanimously.

At this time, the meeting was closed to the public.