

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Wednesday, August 1, 2012, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis, III
Captain J. William Cofer
Captain Milton B. Edmunds
Thomas P. Host III
Patrick B. McDermott
Christine N. Piersall
Meade G. Stone, Jr.

Board members Charles R. Amory, Jr. and Captain John A. Morgan, Jr. were not present for the meeting.

Staff present for the meeting was:

Kathleen (Kate) R. Nobsch, Executive Director

Joshua N. Lief, Senior Assistant Attorney General was present from the Office of the Attorney General (arrived at 11:30 a.m.)

Finding a quorum of the Board present, Mr. Stone, Vice President and Acting President, called the meeting to order at 10:40 a.m.

Call to Order

Captain Cofer moved to approve the agenda as amended. Mr. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

**Approval of
Agenda**

Captain Edmunds moved to approve the minutes from the June 15, 2012, board meeting. Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

**Approval of
Minutes**

There were no public comments made to the Board.

**Public Comment
Period**

Ms. Nobsch provided board members with board procedures for elected office terms and the process in the event of an unexpired term. Mr. Cherry and Mr. Stone were elected on June 1, 2011 to a four year term which expires May 31, 2015. As Mr. Cherry retired as the President of the Board February 2012, Ms. Nobsch opened nominations on behalf of Mr. Dixon. Captain Edmunds nominated Mr. Stone for President. Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone. The election of Mr. Stone as President left the Vice President open for the

**Election of
Officers**

remainder of the term. Mr. Stone nominated Captain Cofer for Vice President. Mr. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone. These unexpired terms will expire May 15, 2015.

Ms. Nosbisch introduced Mrs. Pamela Martin, wife of Board member William M. "Chippy" Martin, who passed away in February 2012. Mrs. Martin introduced family members in attendance with her. Mr. Stone read the following resolution:

**Presentation or
William M.
"Chippy" Martin
III Resolution to
Pamela Martin**

RESOLUTION IN MEMORIAM OF

William M. "Chippy" Martin III

WHEREAS, **William M. "Chippy" Martin III**, did faithfully and diligently serve as a member of the Virginia Board for Branch Pilots from November of 2004 to February of 2012; and

WHEREAS, **William M. "Chippy" Martin III**, did devote generously of his time, talent and leadership to the Board; and

WHEREAS, **William M. "Chippy" Martin III**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and this profession; and

WHEREAS, the Virginia Board for Branch Pilots wishes to mourn the passing of **William M. "Chippy" Martin III**, to whom the Board is in gratitude for his devoted service to the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, that the Virginia Board for Branch Pilots expresses the utmost regard and respect for **William M. "Chippy" Martin III**, and for his professional legacy; and, so that all may know of the Board's depth of sorrow and its expression of sympathy, it is ordered this resolution be spread upon the official minutes of the Board, and that a copy hereof be presented to the family of **William M. "Chippy" Martin III**.

Mr. Stone presented the resolution to Mrs. Martin on behalf of the Board.

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on August 1, 2012. The following report was made:

**Exam
Administrators
Report**

Christopher H. Behm

Mr. Behm has successfully completed his first two years of the Virginia Pilot

Association's apprenticeship program. Christopher H. Behm answered oral questions related to the raise in grade. The subjects included courses and distances from Cape Henry to Town Point and to the James River Bridge, a detailed description of transiting the Southern and Eastern Branches of the Elizabeth River, local traffic along each route, the master/pilot exchange of information, safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, anchoring techniques, docking and undocking without towboats, pilot/dockmaster relationship, emergency shiphandling, navigation equipment, safe vessel speed, vessel/terminal security and the duties of a licensee regarding the chemical testing program, prescription drugs and the role of the MRO (medical review officer) and reportable incidents. Christopher H. Behm also successfully completed a chartlet demonstrating his spatial awareness of major aids to navigation and their relationship to land. Mr. Behm received his degree in Business Management from Georgetown University. Mr. Behm stood a good examination and was found to be qualified. Captain Callis moved that Mr. Behm be granted a limited branch pilot license with an Alpha classification (16,000 gross tons and 25 feet maximum draft). Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

Gregory R. Willson

Mr. Willson has successfully completed his first two years of the Virginia Pilot Association's apprenticeship program. Gregory R. Willson answered oral questions related to the raise in grade. The subjects included courses and distances from Cape Henry to Town Point and to the James River Bridge, a detailed description of transiting the Southern and Eastern Branches of The Elizabeth River, local traffic along each route, the master/pilot exchange of information, safe anchoring positions in Lynnhaven, Sewell's Point and Newport News, anchoring techniques, docking and undocking without towboats, pilot/dockmaster relationship, emergency shiphandling, navigation equipment, safe vessel speed, vessel/terminal security and the duties of a licensee regarding the chemical testing program, prescription drugs and the role of the MRO (medical review officer) and reportable incidents. Gregory R. Willson also successfully completed a chartlet demonstrating his spatial awareness of major aids to navigation and their relationship to land. Mr. Willson received his degree in Civil and Environmental Engineering from Virginia Military Institute. Mr. Willson stood a good examination and was found to be qualified. Captain Callis moved that Mr. Willson be granted a limited branch pilot license with an Alpha classification (16,000 gross tons and 25 feet maximum draft). Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

Adam L. Halstead

Captain Halstead has successfully completed the Virginia Pilot Association Apprenticeship Training Program. Captain Halstead provided a chart sketch of the sealanes and answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, anchoring deep loaded vessels, tidal sailings and arrivals, under keel clearance, deep-water route, naval nomenclature and chain of command, and safe vessel speed. Captain Halstead possesses a valid Merchant Mariner Credential as an unlimited Federal Inland Master with a first class pilot endorsement issued by the United States Coast Guard. During his tenure as a limited Branch Pilot, Captain Halstead has been on over 2,000 ships. Captain Halstead stood a good examination and was found to be qualified. Captain Callis moved that Captain Halstead be raised from a Hotel classification (64,000 gross tons and 46 feet maximum draft) to a full Branch Pilot. Ms. Piersall seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

Mr. Stone congratulated Mr. Behm, Mr. Willson and Captain Halstead and had them each introduce their family members in attendance. Captain Halstead also introduced his grandmother, who celebrated her 90th birthday this day.

Captain Cofer informed the new Alpha Limited Branch Pilots that they would be on the list for duty that afternoon, and further commented that they will always remember the name of the first ship they pilot.

The Board recessed from 11:00 a.m. until 11:30 a.m. giving all in attendance the opportunity to review chartlets, take photographs, and congratulate the pilots.

William G. Saunders, Jr.

Captain Saunders answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, anchoring techniques, characteristics of deep draft vessels, vessel squat, inner harbor transits, restricted maneuvering in narrow channels, traffic management, timed arrivals and safe vessel speed.

Captain Saunders stood a good examination and was found to be qualified. Captain Callis moved that Captain Saunders be raised in grade from a Echo classification (42,000 gross tons and 36 feet maximum draft) to a Foxtrot classification (46,000 gross tons and 40 feet maximum draft).

Recess

Exam
Administrators
Report

Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

January N. Collins

Captain Collins answered oral questions related to the extension of route. The subjects included courses and distances from Cape Henry to Pages Rock and to Cape Charles, safe anchoring positions in the York River and Cape Charles, local traffic, high water arrival times, transit issues with deep draft vessels, under keel clearance, George P. Coleman Bridge restrictions and characteristics, fixed aids to navigation and safe vessel speed.

Captain Collins stood a good examination and was found to be qualified. Captain Callis moved that Captain Collins be granted an extension of route from the Cape Henry to Pages Rock, upon the York River. Mr. McDermott seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

Benjamin L. Speckhart

Captain Speckhart answered oral questions related to the extension of route. The subjects included courses and distances from the James River Bridge to Richmond, local traffic, safe anchoring positions, vessel positioning when approaching various turns in anticipation of bank and cushion effect, narrow channel navigation techniques, docking and undocking in Hopewell, characteristics of the James River Bridge and the Benjamin Harrison Memorial Bridge, adverse tidal situations and safe vessel speed. Captain Callis moved that Captain Speckhart be granted an extension from the James River Bridge to Richmond upon the James. Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

Board members reviewed the suggested changes to the proposed Guidance Document for Physical Examination Requirement of Annual License Renewal. Mr. McDermott moved to accept the guidance document. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

**Review of
Guidance
Document For
Physical
Examination
Requirement of
Annual License
Renewal**

Ms. Nusbisch informed the Board that there had been no change in the status of the regulations.

**Regulatory
Review Update**

Mr. Stone read a resolution for former board member and board president, Bruce Cherry, who retired from the Board in February, 2012. The board members agreed by consensus to adopt the resolution. The resolution will be presented to Mr. Cherry and read for official inclusion in the minutes at the October 31, 2012, board meeting.

**Resolution for
Bruce R. Cherry**

Ms. Nosbisch provided financial statements for informational purposes and reviewed the Callahan Act. Ms. Nosbisch stated that the next possible license fee increase would not be until 2018-2020, and the amount of the increase could not be estimated at this time.

**Financial
Statements**

Ms. Nosbisch informed the Board that an additional meeting September 13, 2012, was necessary for review and approval of the exam administrator's report.

Other Business

Mr. Host requested that a list of pilots sitting for exams and the upgrades be provided with board meeting agenda when mailed.

At 12:10 a.m., Mr. Host moved that the board meeting be recessed and that the Board for Branch Pilots immediately reconvene in a closed session for the purpose of consultation with legal counsel pertaining to legal matters within the jurisdiction of the Board as permitted by § 2.2-3711.A.7 of the *Code of Virginia*. The following non-members will be in attendance to reasonably aid the consideration of the topic: Kathleen (Kate) R. Nosbisch, and Joshua N. Lief. This motion is made with respect to the matter identified as agenda item: Update on Walter Hugh McCrory, Jr. appeal. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone.

**Update on Walter
Hugh McCrory,
Jr. Appeal**

At 12:50 p.m., Mr. McDermott moved to adjourn the closed session. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Piersall and Stone. The Board immediately reconvened in open session.

Open Meeting

Ms. Nosbisch read the certification of closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board for Branch Pilots has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and
WHEREAS, §2.2-3712 of the *Code of Virginia* requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board for Branch Pilots hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board for Branch Pilots.

VOTE: 7-0

AYES: Cofer, Callis, Edmunds, Host, McDermott, Piersall and Stone.

NAYS: 0

ABSENT FROM MEETING: Amory and Morgan

Conflict of Interest forms were completed by all members present.

**Conflict of
Interest Forms**

There being no further business, the meeting was adjourned at 12:55 p.m.

Adjourn

Meade G. Stone, Jr., President

Gordon N. Dixon, Secretary