

**BOARD FOR BRANCH PILOTS MEETING  
MINUTES**

The Virginia Board for Branch Pilots met on Thursday, December 13, 2018, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain E. Waightstill Avery  
I. Vincent Behm, Jr.  
Captain Robert H. Callis, III  
Captain J.W. Whiting Chisman, III  
Captain J. William Cofer  
Thomas P. Host, III  
Patrick B. McDermott  
Christine N. Piersall  
Meade G. Stone, Jr.

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Kathleen R. Nosbisch, Executive Director  
Bonnie Davis, Administrative Assistant

Elizabeth Peay, Assistant Attorney General was present from the Office of the Attorney General.

Members of the Audience included:

Martha Stone  
Mark Coberly, Manager, Maritime Law Department, Representative from Vandeventer Black  
William Burket Jr., Virginia Port of Authority, Director, MIRT and Emergency Operations

Finding a quorum of the Board present, Mr. Stone, President, called the meeting to order at 10:30 a.m.

**Call to Order**

Mr. Burket of the Virginia Port Authority (VPA) advised the Board of the emergency evacuation procedure, and where first aid and emergency medical equipment could be located.

**Safety  
Evacuation  
Instructions**

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

**Approval of  
Agenda**

Captain Cofer requested further clarification in the September 17, 2018 meeting minutes regarding the Portable Pilot Units (PPUs) policy. Captain Cofer confirmed that at the September meeting the board discussed the intent of the PPU policy is not to mandate that the individual pilot use the PPU but to require that the unit is onboard and operational to record the voyage. Furthermore, if the unit is unavailable because of unforeseen circumstances, the pilot is eligible to pilot other ships during the pilot's rotation. The Board

**Approval of  
Minutes**

was expressing its expectation that the device is turned on and recording, and there may be sanctions if it is found to have been available, but not to be onboard and operational.

Ms. Nosbisch noted that “Board staff present” and “Agency staff present” should be changed to read “Staff present”.

Ms. Piersall moved to approve the minutes as amended from the September 17, 2018, Board meeting. Captain Avery seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

There were no public comments.

Ms. Nosbisch introduced the audience: Martha Stone, wife of Meade Stone, Mark Coberly, Manager, Maritime Law Department, and William Burket Jr., Virginia Port of Authority, Director, MIRT and Emergency Operations.

Captain Chisman informed the Board that at the request of the Virginia Port Authority, he and four Branch pilots attended the Maritime Institute of Technology and Graduate Studies/Pacific Maritime Institute (MITAGS-PMI) in Maryland to perform simulations required by the United States Army Corps of Engineers for the 55 foot channel deepening and widening project. Captain Chisman presented to the Board an example of the simulations which were conducted to validate the feasibility of the project. Separate from the 55 foot project, simulation was also conducted to test the feasibility of 18,000 TEU vessels using the channels in the Commonwealth. In addition, the Branch pilots completed simulation on docking at the Virginia Port Authority terminals. A report is being created to present to the Corps and we anticipate dredging will begin in January 2020. Captain Chisman stated the simulations were impressive and a very valuable tool.

Captain Cofer informed the Board that Captain Schacherer is preparing a report to review category limitations for limited branch pilots and will present to the Board at the meeting on March 15, 2019. He stated it will be advantageous to wait until March because a year’s worth of data will be available at that time.

Captain Cofer stated that Virginia Pilots have been very fortunate over the years not to have had many pilot ladder issues. However, in the past 6 months, there have been two instances of a pilot falling because of equipment

**Public Comment  
Period**

**Introduction of  
Guests**

**State Evaluation  
of Proposed Ship  
Channel  
Dredging to  
Support Ultra  
Large Container  
Ships**

**Proposal to  
Review  
Categories for  
Limited Branch  
Pilot Tonnage  
and Draft for  
March Meeting,  
letter dated  
September 27,  
2018**

**Recent Pilot  
Ladder  
Malfunction**

malfunctions. Maryland Pilot Capt. Brian Fierro fell and was injured in July and Capt. Stallings fell and was injured in October. Capt. Cofer informed the Board that there are approximately 1200 pilots in the United States and in the last ten years five have been killed embarking and disembarking ships.

Captain Cofer stated that a number of years ago the Board determined Branch Pilots complete 60 hours of continuing education over five years which aligns with other piloting groups in the United States. Consequently, Captain Cofer proposed courses branch pilots would schedule over the next three years. In 2019 – American Pilots Association (APA) Executive Director, Paul Kirchner will talk about piloting laws; 2020 – because of the potential for larger 20,000 TEU ships, pilots will be attending the Maritime Pilot Institute in Covington, LA for ULCV manned model/simulator training; 2021 – pilots will attend two days of Bridge Resource Management Training.

**Continuing  
Education  
Review**

Captain Cofer provided a synopsis of the Virginia Pilot Association's apprenticeship program. He stated there are very few proposed changes. As ships are getting bigger and bigger, the Virginia Pilot Association recognizes the demand for more training and the need for ULCV ship handling simulations. The six week pre-apprenticeship is expanding to a twelve week pre-apprenticeship. Additional manned-model ship handling and computer simulation for 14,000 TEU and larger ships, learning resource modifications, as well as advanced docking maneuvers have been added.

**Review of  
Virginia Pilot  
Association's  
Apprenticeship  
Draft Training  
Program**

Captain Chisman moved to approve the Virginia Pilot Association's apprenticeship program. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

Captain Callis then moved to delegate the operation and administration of the program to the Virginia Pilot Association for 2019. Ms. Piersall seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

Ms. Peay informed the Board that pursuant to § 54.1-100 of the *Code of Virginia*, a review had been conducted of the Board's regulations and there were no conflicts in their regulations with the Constitution of the United States, the Constitution of Virginia, the laws of the United States, or the laws of the Commonwealth of Virginia.

**Review of  
Regulations  
Pursuant to  
§54.1-100 of the  
Code of Virginia**

Captain Cofer left the meeting.

**Departure of  
Board Member**

Captain Avery provided the Board with a report of the meeting of Examination Administrators from December 10 and 11, 2018. The Examination Administrators reviewed the renewal applications for the 2019 calendar year and presented the following report:

**Consideration of  
Renewal of  
Licenses –  
December 10 &**

**11, 2018**

Captain Luther J. Stallings, III will not be renewing at this time due to medical reasons. When ready to renew, he will submit the request for renewal, and the Board will determine the requirements for renewal at that time.

The members of the Examination Administrators Committee reviewed the renewal application paperwork and deemed the individual qualified pursuant to § 54.1-906 of the *Code of Virginia*. Captain Avery moved to approve the renewal application. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Host, McDermott, Piersall, and Stone.

Captain Avery reported Captain Cofer submitted all required documentation for renewal; however, due to an injury that prevented him from riding the requisite number of ships, he requested an extension to meet the requirement.

The members of the Examination Administrators Committee reviewed the renewal application paperwork and deemed the individual qualified pursuant to § 54.1-906 of the *Code of Virginia*. Captain Avery moved to approve the renewal application. Captain Callis seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Host, McDermott, Piersall, and Stone.

Captain Cofer returned to the meeting.

**Return of Board  
Member**

The following branch pilot licenses were presented for renewal: E. Waightstill Avery; Christopher H. Behm; Charles I. Boggs, Jr.; Robert H. Callis, III; Julian Wythe Whiting Chisman, III; January N. Collins; William G. Diggs; Ernest W. Dodson, Jr.; Robert H. Dozier, III; Milton B. Edmunds; Michael S. Eubanks; Mark S. Evans; Tazewell Fitzgerald; N. Turner Gray, Jr.; Herbert R. Green, III; Nathaniel T. Green, II; Adam Halstead; Kevin D. Hartz; David H. Heath; C. Howard Hoffman; Richard Keith Hope; Charles A. Huffman; Chadwick M. Jamison; Jacob R. Johnson; Joseph R. McKnew; Dale A. Meyer, Jr.; Frank M. Rabena; Roy A. Rector, Jr.; Torrence A. Rogers; Thomas D. Rutter; William G. Saunders, Jr.; Joseph M. Schacherer, III; G. Benjamin Schill, Jr.; Benjamin Speckhart; James S. Trimble; David B. Ware; Gregory R. Willson; Jonathan D. Worth; and Clarence M. Young.

**Consideration of  
Renewal of  
Licenses –  
December 10 &  
11, 2018 (cont'd)**

The members of the Examination Administrators Committee reviewed the renewal application paperwork and deemed the individuals qualified pursuant to § 54.1-906 of the *Code of Virginia*. Captain Avery moved to approve the renewal applications of the above-listed unlimited licensees. Ms. Piersall seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone. Captains Avery, Callis, and Chisman abstained from voting on

their respective licenses. Mr. Behm abstained from voting on Christopher H. Behm's license.

Captain Avery moved to waive the requirements of subsection C.3 of regulation 18 VAC 45-20-20, pursuant to subsection C.4 of regulation 18 VAC 45-20-20, for transit on the Eastern Branch of the Elizabeth River from Town Point to the Campostella Bridge for David B. Ware. Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

Captain Avery moved to waive the requirements of subsection C.3 of regulation 18 VAC 45-20-20, pursuant to subsection C.4 of regulation 18 VAC 45-20-20, for transit on the James River from City Point, Virginia to Richmond for Torrence A. Rogers. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

The following limited branch pilot licenses were also presented for renewal: Richard A. Lyons, Ryan R. Nienstedt, and Timothy D. Oksman

The members of the Examination Administrators Committee reviewed the renewal application paperwork and deemed the individuals qualified pursuant to § 54.1-906 of the *Code of Virginia*. Captain Avery moved to approve the renewal applications of the above-listed limited licensees at their respective limitations as of December 31, 2018. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

The PPU policy was further amended to read:

**Review of PPU  
Policy**

**Recording Voyages on Portable Pilot Units (PPUs) by Virginia Branch Pilots**

Whereas the Board for Branch Pilots (the Board") has the responsibility of licensing and oversight of Virginia State Pilots, and

Whereas in fulfilling that responsibility the Board is required to review from time to time the navigation and piloting of ships when an incident is reported, and

Whereas in such instances it is necessary for the Board to review the electronically recorded track of the vessel in question which is captured on the personal piloting unit ("PPU") of the pilot in question, now therefore

The Board hereby resolves that all Virginia Branch Pilots shall henceforth carry and deploy PPUs aboard the ships and other vessels on which they

perform their duties as Pilots of the Commonwealth of Virginia. This requirement shall apply to all piloted vessels except those which on which the PPU cannot be set up due to the construction of the vessel.

While a vessel is under pilotage, the pilot's PPU shall be activated, and operational, including the feature that saves and records in the unit's memory the track and position of the vessel being piloted. If any reportable incident occurs during a piloted transit, all data pertaining to that vessel shall be retained indefinitely by the pilot until further notice by the Board. The pilot shall, upon request by the Board, provide his or her PPU or the data contained therein, to the Board for its review. The data for every vessel that is not involved in any reportable incident shall be retained by the pilot for 14 days.

Should a PPU become inoperative during the transit to or while onboard the vessel, due to damage or malfunction or is unavailable because of exigent circumstances, the pilot shall nevertheless continue the transit to its conclusion and be eligible to pilot other ships during the pilot's rotation.

The Board shall be empowered to impose sanctions for failure to comply with these requirements if the PPU is found to have been available, but not to be onboard and operational.

Ms. Piersall moved to approve the revised PPU language. Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone. Mr. Behm opposed.

Mr. DeBoer updated the Board on the study of the operations and performance of DPOR conducted by the Joint Legislative Audit and Review Commission (JLARC) conducted through September 2018. The full report is available at [www.jlarc.virginia.gov](http://www.jlarc.virginia.gov).

**JLARC Update**

Ms. Nosbisch stated the financial statements were provided for informational purposes.

**Financial Statements**

Ms. Nosbisch stated the articles and the VPA Action against Pilot letter were provided for informational purposes.

**Other Business**

Captain Cofer stated years ago the Board reviewed the Working Rules and continually address fatigue and ways to reduce it. In regards to Daylight Savings Time, individuals could work an extra hour and the new rule takes this into account. Captain Chisman stated on the day of fall back of Daylight Savings Time, VPA has eliminated an hour to make sure a pilot does not have a fifteen hour day.

Ms. Nosbisch informed board members that they will receive an email later this month from the Virginia Conflict of Interest and Ethics Advisory Council

**Statement of Economic**



regarding their yearly statement of economic interests (SEI). Ms. Nobsisch stated that completion of the SEI form is a requirement for board members and that the online form must be completed by all board members between January 1, 2019 and January 14, 2019.

**Interest**

Conflict of Interest forms and travel vouchers were completed by all members present.

**Conflict of Interest Forms and Travel Vouchers**

Ms. Nobsisch reported that President Stone is stepping down as President as of today, but will remain on the Board until December 31, 2018. She stated that an election for President and Vice President is held every four years, and this election is to fill the President's unexpired term until May; a President and Vice President will be elected at the June meeting in accordance with the four year rotation. Ms. Nobsisch opened the floor for nominations for Board President. Captain Cofer nominated Ms. Piersall as President. Mr. McDermott seconded the motion which was unanimously approved by: Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

**Election of President**

As there were no other nominations from the floor, Mr. Behm made a motion to close the floor for nominations. Captain Callis seconded the motion which was unanimously approved by: Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, Piersall, and Stone.

The Board members unanimously elected Ms. Piersall. The Board congratulated Ms. Piersall.

Captain Cofer read the following resolution for consideration by the Board:

**Resolution – Meade Stone**

RESOLUTION IN HONOR OF

Meade G. Stone, Jr.

WHEREAS, Meade G. Stone, Jr. did faithfully and diligently serve as a member of the Virginia Board for Branch Pilots from February 1982 through December 2018; and

WHEREAS, Meade G. Stone, Jr. did devote generously of his time, talent and leadership to the Board; and

WHEREAS, Meade G. Stone, Jr. did at all times render decisions with fairness and good judgment so as to promote and preserve the best interests of our citizens and the profession of piloting in Virginia; and

WHEREAS, the Virginia Board for Branch Pilots acknowledges its gratitude

for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, this thirteenth day of December 2018, that the Virginia Board for Branch Pilots expresses its utmost regard and respect for Meade G. Stone, Jr. and his professional legacy to this Board; and, so that all may know of the Board's depth of its expression, it is ORDERED that this resolution be spread upon the official minutes of the Board and that a copy hereof be presented to Meade G. Stone, Jr..

The Board members agreed to the resolution by consensus and congratulated and thanked Mr. Stone for his many years of dedicated service to the Board.

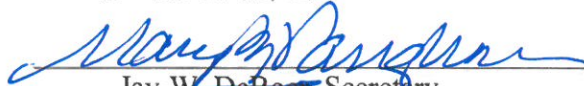
There being no further business, the meeting was adjourned at 12:05 p.m.

**Adjourn**



~~Meade G. Stone, Jr., President~~

Christine Persall



Jay W. DeBoer, Secretary



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: Meade Stone  
2. Title: Board Member  
3. Agency: Board for Branch Pilots  
4. Meeting/IFF Date: Board Meeting December 13, 2018

5. I have a personal interest in the following transaction:

NONE

Nature of Personal Interest Affected by Transaction:

NONE

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

NONE

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Meade Stone  
Signature

12/13/2018  
Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

- 1. Name: Christine N. Piersall
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting December 13, 2018

5. I have a personal interest in the following transaction:

---

---

Nature of Personal Interest Affected by Transaction:

---

---

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

---

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Christine Piersall  
Signature

12/13/2018  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government**

1. Name: I. Vincent Behm, Jr.
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 13, 2018
5. I have a personal interest in the following transaction:

---

---

Nature of Personal Interest Affected by Transaction:

---

---

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

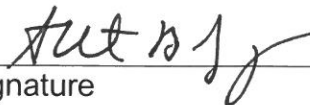
---

I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
Signature

12-13-18  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Robert H. Callis, III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 13, 2018
5. I have a personal interest in the following transaction:  
\_\_\_\_\_  
\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:  
\_\_\_\_\_  
\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

Virginia Pilot Association

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Robert H. Callis, III  
Signature

12/13/2018  
Date

**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: E. Waightstill Avery
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 13, 2018

5. I have a personal interest in the following transaction:

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

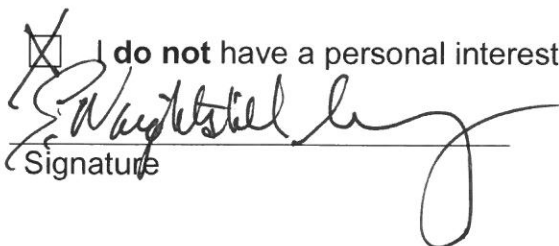
I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date

12/13/2018



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name: Thomas P. Host III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 13, 2018
5. I have a personal interest in the following transaction:

\_\_\_\_\_

\_\_\_\_\_

Nature of Personal Interest Affected by Transaction:

\_\_\_\_\_

\_\_\_\_\_

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

\_\_\_\_\_

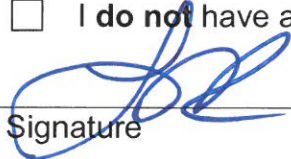
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

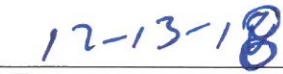
I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

- 1. Name: Patrick B. McDermott
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting December 13, 2018

5. I have a personal interest in the following transaction:

---

---

Nature of Personal Interest Affected by Transaction:

---

---

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

---

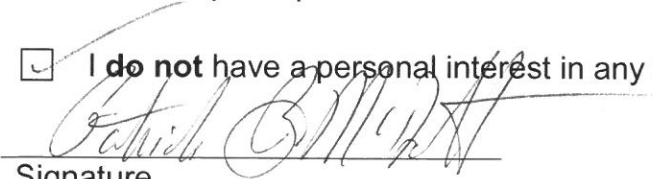
I am able to participate in this transaction fairly, objectively, and in the public interest.

**or**

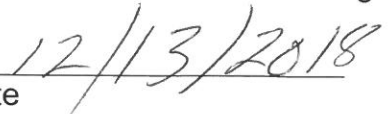
I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date



**STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

- 1. Name: J. William Cofer
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting December 13, 2018

5. I have a personal interest in the following transaction:

---

---

Nature of Personal Interest Affected by Transaction:

---

---

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

---

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6.  I **do not** have a personal interest in any transactions taken at this meeting.

  
Signature

10-13-18  
Date