

**BOARD FOR BRANCH PILOTS
MEETING MINUTES
Hybrid Meeting - In Person & Virtual **

The Virginia Board for Branch Pilots met (in person) on Friday, March 12, 2021, 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
Michael W. Coleman
Captain January N. Collins
Thomas P. Host, III
Patrick B. McDermott
Christine N. Piersall

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, Director (in person)
Kathleen R. Nobsch, Executive Director (virtually)
Johnathan Darden, Director of Investigations - Central Operations (virtually)
Bonnie Davis, Administrative Assistant (virtually)

Heather Hays Lockerman, Senior Assistant Attorney General/Chief and Elizabeth Peay from the Office of the Attorney General were present (virtually).

Ms. Piersall, President, called the Board meeting to order at 10:30 a.m.

Call to Order

William Burket, Jr. of the Virginia Port Authority advised the Board of the emergency evacuation procedures.

**Safety
Evacuation
Instructions**

Ms. Nobsch reminded the board members and meeting attendees of COVID-19 safety procedures and virtual meeting procedures.

Mr. Coleman moved to approve the agenda as presented. Mr. McDermott seconded the motion which was unanimously approved via roll call vote by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

**Approval of
Agenda**

Mr. Host moved to approve the minutes from the December 14, 2020, Board meeting; the February 16, 2021, Committee meeting; and the March 2, 2021, Committee meeting as amended. Captain Callis seconded the motion which was unanimously approved via roll call vote by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

**Approval of
Minutes**

There were no public comments.

Public Comment

Period

Captain Callis provided the Board with a report of examinations conducted by the Exam Administrators on March 12, 2021. The following report was made:

**Exam
Administrators
Report**

Zachary Stewart Dodson answered oral questions related to the raise in grade and the extension of route. The subjects included courses and distances from Cape Henry to Wolf Trap, safe anchoring positions in Sewell's Point, Lynnhaven and Cape Charles Anchorage, anchorage regulations in the Regulated Area, quarantine anchorage, JHOC notification point, York Spit Channel rules, safe anchoring distance and under keel clearance, precautions in reduced visibility, local traffic and local knowledge, limitations of bow thrusters and determining the need for tugboat assistance for docking/undocking and safe vessel speed.

Mr. Dodson stood a good examination and was found qualified. Captain Callis moved that Mr. Dodson be raised in grade from Bravo License (34,000 gross tons and 31 feet maximum draft) to a Charlie license (38,000 gross tons and 34 feet maximum draft) and an extension of route upon the Chesapeake Bay from Sea to Wolf Trap to include Cape Charles Anchorage. Captain Collins seconded the motion which was unanimously approved via roll call vote by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

Mr. Coleman moved that the meeting be recessed and the Board convene a closed meeting for the purpose of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice, as permitted by Virginia Code § 2.2-3711 (A)(8). The motion was made with respect to the agenda item concerning the process for reviewing potential disciplinary complaints.

Closed Meeting

The following non-members will be in attendance for the closed meeting to reasonably aid in the consideration of this topic: Heather Hayes Lockerman, Elizabeth Peay, Mary Broz-Vaughan, Kate Nosbisch, and Bonnie Davis (technical assistance).

Captain Avery seconded the motion, which was unanimously approved via roll call vote by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

Following its closed meeting, the Board immediately reconvened in open session. Ms. Nosbisch read the following certification for the closed meeting:

**Reconvened
Meeting**

WHEREAS, the Virginia Board for Branch Pilots convened a closed meeting on this date pursuant to an affirmative recorded vote and in

accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements by Virginia laws 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.

The certification was affirmed as accurate via roll call vote by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

The Board reviewed the File Review Committee Process Flow Chart. Mr. Coleman moved to approve the Chart as amended. Captain Collins seconded the motion which was unanimously approved via roll call vote by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Coleman, Collins, Host, McDermott, and Piersall.

Committee Update – Process of Reviewing Potential Disciplinary Complaints

Ms. Piersall informed the Board that the File Review Committee previously reviewed the notification letter and presented it to the Board with a recommendation that the letter be filed and that the Board take no action, as there appears to be no violation of the Board's regulations or statutes. Captain Chisman moved to accept the recommendation. Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

Notification Letter – Captain Schill – CMV EMDEN

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

Ms. Nosbisch stated the financial statements were provided for informational purposes. Ms. Nosbisch noted that if the Board were to have a maritime expert on retainer, there would need to be a fee increase on initial and renewal applications.

Financial Statements

Ms. Nosbisch thanked the board members for submitting their financial disclosure statements. **Financial Disclosure Statements**

Mr. Host announced he will be retiring from the Board; his last meeting date will be June 9, 2021. **Other Business**

Captain Chisman reminded the Board that Captain Trimble had been out on medical leave. He reported that Captain Trimble is due to be fit for duty after his physician releases him at his March 18, 2021, appointment.

Ms. Nosbisch reported the Virginia Maritime Symposium has been moved to September 29 and 30, 2021.

Conflict of Interest forms and travel vouchers were completed by all members present. **Conflict of Interest Forms and Travel Vouchers**

There being no further business, the meeting was adjourned at 11:54 a.m. **Adjourn**



Christine Piersall, President



Mary Broz-Vaughan, Secretary

**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 March 12, 2021

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

3/12/2021
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 March 12, 2021

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

I. Vincent Behm, Jr.

Date

3-12-21

**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 March 12, 2021

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

3/12/2021
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: J.W. Whiting Chisman III
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting March 12, 2021

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

Nature of Personal Interest Affected by Transaction:

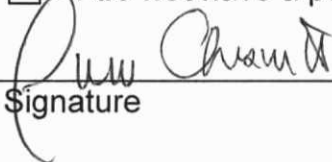
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

3-12-21
Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Michael W. Coleman
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting March 12, 2021

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

3/12/2021

Date

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: January Collins
- 2. Title: Board Member
- 3. Agency: Board for Branch Pilots
- 4. Meeting/IFF Date: Board Meeting March 12, 2021

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.

Jan Collins
Signature

3/12/21
Date

**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 March 12, 2021

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:

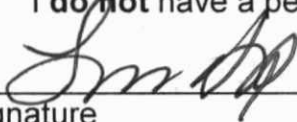
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

3-12-21

**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 March 12, 2021

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.

Patrick B. McDermott

Signature

3/12/2021
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 March 12, 2021

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

3/12/2021
Date