

BOARD FOR BRANCH PILOTS MEETING

MINUTES

The Virginia Board for Branch Pilots met on Monday, December 12, 2005, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present

Robert H Callis, III
Bruce R Cherry
Captain J William Cofer
Captain Milton B Edmunds
Robert T Hasler, Jr
William M Martin, III
Edgar A Massenburg
Captain W Hugh McCrory, Jr
Meade G Stone, Jr

Staff present for the meeting were

Louise Fontaine Ware, Director
Nick Christner, Deputy Director of Compliance and Investigations Division (CID)
Mark N Courtney, Executive Director

William R "Rob" Sievers, Assistant Attorney General, was present at the meeting

Finding a quorum of the Board present, Mr Hasler, President, called the meeting to order at 9 30 a m Call to Order

Mr Cherry moved to approve the agenda as written Judge Massenburg seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone Approval of Agenda

Mr Martin moved to approve the minutes from the November 1, 2005, Board meeting as amended Mr Stone seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone Approval of Minutes

Captain McCrory provided the Board with a report of the meeting of Examination Administrators from the prior week The Examination Administrators have reviewed the renewal applications for the 2006 calendar year and presented the following report Examination Administrators Report

The following branch pilot licenses were presented for renewal Lorenzo D Amory, III, E Waightstill Avery, John Brockington Beasley, Jr , Charles I Boggs, Robert H Callis, III, Leighton E Causey, Jr , Julian Wythe Whiting Chisman, III, James William Cofer, William L Counselman, William G Diggs, Ernest W Dodson, Jr , Robert Henley Dozier, III, Milton B Edmunds, Mark S Evans, Tazewell Fitzgerald, Nelson Turner Gray, Herbert R Green, III, Nathaniel T Green, II, Kevin D Hartz, W S Harwood, III, David H Heath, Charles H Hoffman, Robert Lee Holland, Jr , Richard Keith Hope, Brian Keith Hudgins, John Allison Jones, Jr , Benjamin B Lee, Walter Hugh McCrory, Jr , Dale Allen Meyer, Jr , John A Morgan, Jr , John G Phillips, Jr , Robert L Prodan, II, Frank M Rabena, Roy A Rector, Jr , Thomas D Rutter, Gustave B Schill, Robert W Scott, Jr ; Luther J Stallings, III; Gilbert R Swink, III, James South Trimble, David B Ware, and Jonathan D. Worth

The members of the Examinations Administrators Committee reviewed the renewal application paperwork and deemed the individuals qualified pursuant to §54 1-906 of the *Code of Virginia* After discussion, Captain McCrory moved to approve the renewal applications of the above-listed unlimited licensees Mr. Cherry seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone Captains Callis, Cofer, Edmunds, and McCrory abstained from voting on their respective licenses

The following limited branch pilot licenses were also presented for renewal Michael S Eubanks, Chadwick M Jamison, Jacob R Johnson, Torrence A Rogers, and Clarence M Young

The members of the Examinations Administrators Committee reviewed the renewal application paperwork and deemed the individuals qualified pursuant to §54 1-906 of the *Code of Virginia* After discussion, Captain McCrory moved to approve the renewal applications of the above-listed limited licensees at their respective limitations as of December 31, 2005 Mr Cherry seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone

Additionally, Captain McCrory moved to waive the requirements of regulation 18 VAC 45-20-20 C 3 for transit above Pages Rock on the York River for the following branch pilots due to no ship traffic pursuant to regulation 18 VAC 45-20-20 C 4 Robert H Callis, III, William L Counselman, William G Diggs, Mark S Evans, Tazewell Fitzgerald, Nelson Turner Gray, Charles H Hoffman, and John A Morgan, Jr No

ship has transitted the York River above Pages Rock in over five years Mr Stone seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone Captain Callis abstained from voting on his license

Captain Cofer appeared in lieu of Captain Worth as the representative of the Virginia Pilot Association's Apprenticeship Committee Captain Cofer indicated that the changes to the program that are being recommended are minor and clarifying in nature, and provided a handout detailing the proposed changes Judge Massenburg moved to approve the changes to the apprenticeship program Mr Stone seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone

Judge Massenburg moved to adopt the program as amended and delegate the operation and administration of program to Virginia Pilot Association for 2006 Mr Cherry seconded the motion which was unanimously approved by Messrs and Captains Callis, Cherry, Cofer, Edmunds, Hasler, Martin, Massenburg, McCrory, and Stone

Mr Sievers 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

Captain Cofer informed the Board that the Virginia Pilot Association had asked for a declaratory judgment from the State Corporation Commission that the Virginia Pilot Association is correctly calculating pilotage fees for certain vessels operated by Carnival Corporation The State Corporation Commission ruled that the depth measurement component of the rate formula should be to the freeboard deck on cruise ships As these vessels typically have very low freeboard decks, the Virginia Pilot Association will revise its depth component of the rate formula for billing, however, they will not change the depth component of the rate formula with regards to the calculation of ship units for the determination of which vessels limited branch pilots will be eligible to pilot as determined by the Board for Branch Pilots

Conflict of Interest forms were completed by all members present

There being no further business, the meeting was adjourned at 9 50 a m


**Review of Virginia
Pilot
Apprenticeship
Program**

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

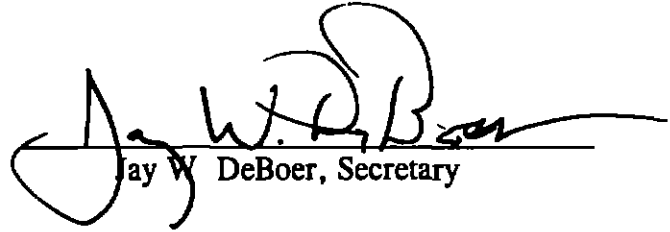
Other Business

**Conflict of Interest
Forms**

Adjourn



Robert T Hasler, Jr , President



Jay W DeBoer, Secretary

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

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

- 1 Name. Bruce R. Cherry
- 2 Title Member
3. Agency Board for Branch Pilots
4. Transaction Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction: NONE
-

6 I declare that

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

NONE

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Bruce R. Cherry
Signature

12/12/05
Date

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

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

1. Name W. Hugh McCrory, Jr
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction _____

6. I declare that.

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

VIRGINIA PILOT ASSOCIATION

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

W. Hugh McCrory, Jr
Signature

12/12/05
Date

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

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

1. Name. Robert H Callis, III
- 2 Title: Member
- 3 Agency Board for Branch Pilots
4. Transaction Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction _____

6. I declare that

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

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Robert H Callis
Signature

Dec. 12, 2005
Date

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

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

1. Name Meade G Stone, Jr.
2. Title Member
3. Agency. Board for Branch Pilots
4. Transaction: Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction None
-

6. I declare that

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction

None

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

Meade G Stone
Signature

12-12-2005
Date

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

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

1. Name William M. Martin, III
- 2 Title. Member
- 3 Agency Board for Branch Pilots
- 4 Transaction: Board Meeting on December 12, 2005
- 5 Nature of Personal Interest Affected by Transaction: NONE
-

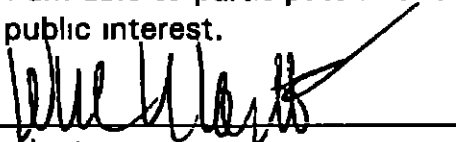
6 I declare that.

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction

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

Signature

Date



12/12/05

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


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

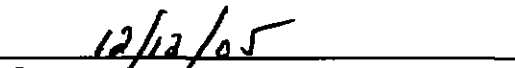
1. Name Milton B. Edmunds
2. Title. Member
3. Agency. Board for Branch Pilots
4. Transaction Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction: _____

6 I declare that

(a) 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


Signature


Date

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

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

1. Name Edgar A Massenburg
- 2 Title: Member
3. Agency Board for Branch Pilots
4. Transaction Board Meeting on December 12, 2005
- 5 Nature of Personal Interest Affected by Transaction: NONE
-

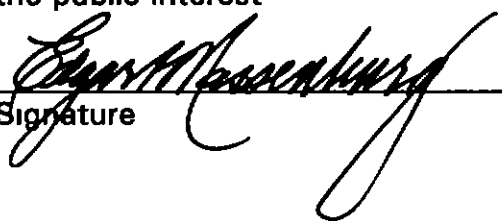
6. I declare that:

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

NONE

(b) I am able to participate in this transaction fairly, objectively, and in the public interest

Signature



Date

12/12/05

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

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

1. Name J William Cofer
2. Title Member
3. Agency. Board for Branch Pilots
4. Transaction. Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction. _____

6 I declare that

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

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

J. William Cofer 12-12-05
Signature Date

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

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

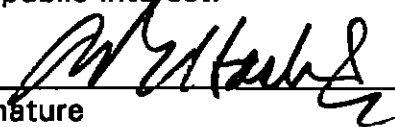
1. Name: Robert T. Hasler, Jr
2. Title: Member
3. Agency: Board for Branch Pilots
4. Transaction: Board Meeting on December 12, 2005
5. Nature of Personal Interest Affected by Transaction: _____

6. I declare that:

(a) I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction

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

Signature



Date

