

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Monday, December 10, 2007, at the Virginia Port Authority, 600 World Trade Center, Norfolk, Virginia, with the following members present:

Captain Robert H. Callis, III
Bruce R. Cherry
Captain J. William Cofer
Captain Milton B. Edmunds
Thomas P. Host, III
William M. Martin, III
Douglas E. Miller
Captain W. Hugh McCrory, Jr.
Meade G. Stone, Jr.

Staff present for the meeting were:

David Ashe, Chief Deputy
Mark N. Courtney, Executive Director
Marian H. Brooks, Program Administrator
Nick A. Christner, Deputy Director of Compliance and Investigation

Cynthia Norwood, Assistant Attorney General, was present at the meeting.

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

Captain McCrory moved to approve the agenda. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone. Approval of Agenda

Captain Callis moved to approve the minutes from the November 1, 2007, meeting. Mr. Miller seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone. Approval of Minutes

The Board reviewed the additional information provided by Captain Dozier that was requested at the Board meeting on November 1, 2007, which included: a chart of the incident; the size of the M/V SKS TANARO; the results of the drug test administered after the incident; and follow-up, if any, from the US Coast Guard regarding the incident. Captain Robert H. Dozier, III, M/V SKS TANARO

After review and discussion, Mr. Miller moved that the letter be filed and that the Board take no action, as there appears to be no violation of the Board's rules, regulations, or statutes. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Mr. Courtney provided the Board with the notices that had been sent to the Public Participation Guideline members, licensees, and to be published in the Register of Regulations. Mr. Courtney informed the Board that any comments that are received would be shared with the Board at its next meeting.

Ms. Norwood 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 provided a synopsis of the Virginia Pilot Association's apprenticeship program. A letter from Captain Ware of the Apprenticeship Committee of the Virginia Pilot Association indicated that there are no changes to the program this year. Captain Callis moved to continue the approval of the program. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone. Mr. Miller then moved to delegate the operation and administration of program to the Virginia Pilot Association for 2008. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Captain McCrory provided the Board with a report of the meeting of Examination Administrators from December 3 and 4, 2007. The Examination Administrators have reviewed the renewal applications for the 2007 calendar year and presented the following report:

The following branch pilot licenses were presented for renewal: Lorenzo D. Amory, III; E. Waightstill Avery; John Brockington Beasley, Jr.; Charles I. Boggs, Jr.; Robert H. Callis, III; 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; Michael S. Eubanks; Mark S. Evans; Tazewell Fitzgerald; Nelson Turner Gray; Herbert R. Green, III; Nathaniel T. Green, II; Kevin

Update on Periodic Review of Regulations

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

Review of Virginia Pilot Association's Apprenticeship Program

Exam Administrators Report

D. Hartz; W. S. Harwood, III; David H. Heath; Charles H. Hoffman; Robert Lee Holland, Jr.; Richard Keith Hope; Brian Keith Hudgins; Chadwick M. Jamison; 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.; Torrence A. Rogers; Thomas D. Rutter; Gustave B. Schill; Luther J. Stallings, III; Gilbert R. Swink, III; James South Trimble; David B. Ware; Jonathan D. Worth; 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*. Captain McCrory moved to approve the renewal applications of the above-listed unlimited licensees. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone. Captains Callis, Cofer, Edmunds, and McCrory abstained from voting on their respective licenses.

Captain McCrory 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 Potomac River for W. S. Harwood, III. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

Captain McCrory reported that no ship has transited the York River above Pages Rock in over five years. Therefore, Captain McCrory 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 above Pages Rock on the York River for the following branch pilots due to no ship traffic: 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. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone. Captain Callis abstained from voting on his license.

The following limited branch pilot licenses were also presented for renewal: Jacob R. Johnson and Joseph R. McKnew.

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*. Captain McCrory moved to approve the renewal applications of the above-listed limited licensees at

their respective limitations as of December 31, 2007. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, Martin, Miller, McCrory, and Stone.

The Board members reviewed a letter received from the National Transportation and Safety Board in reply to the Board's letter dated July 27, 2007, regarding safety recommendations resulting from the grounding of a ship in the New York Harbor.

Other Business

Mr. Courtney reminded the Board members that their certificates of completion for the Conflict Of Interest Act training must be turned in no later than December 31, 2007. Mr. Courtney also reminded the Board members that their Financial Disclosure statements must be completed and turned in to the Department no later than December 31, 2007.

Mr. Courtney noted to the Board members that Mr. DeBoer was not able to attend the Board meeting as one of his children was ill; however, he sent his regards.

Mr. Courtney reported that Karen O'Neal, Deputy Director of the Licensing and Regulation Division, will be retiring in early 2008.

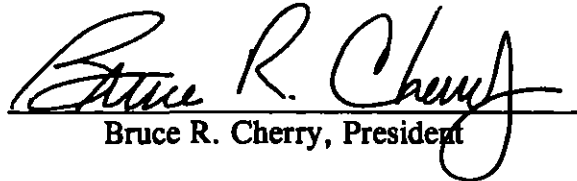
Mr. Courtney noted that he will not be able to attend the February 1, 2008, Board meeting.

Conflict of Interest forms were completed by all members present.

Conflict of Interest
Forms

There being no further business, the meeting was adjourned at 10:05 a.m.

Adjourn


Bruce R. Cherry, President


Jay W. DeBoer, Secretary

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

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

1. Name: Bruce R. Cherry
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2007

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.

Signature

Bruce R. Cherry

Date

12/10/07

**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 10, 2007

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

Virginia Pilot Assn.

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:

yes Virginia Pilot Assn.

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
Signature

12/10/2007
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 10, 2007

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.

J. William Cofer
Signature

12-10-07
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 December 10, 2007

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

Nature of Personal Interest Affected by Transaction:

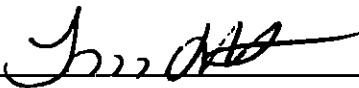
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

12-10-07
Date

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

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

1. Name: Milton B. Edmunds
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2007

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

12/10/07

Date

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

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

1. Name: W. Hugh McCrory, Jr.
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2007

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.

Signature

W. Hugh McCrory, Jr.

Date

12/10/07

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

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

1. Name: William M. Martin, III
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2007

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

NONE

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.

William M. Martin, III
Signature

12/10/07
Date

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

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

1. Name: Douglas E. Miller
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2007

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 12/10/07

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

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

1. Name: Meade G. Stone, Jr.
2. Title: Board Member
3. Agency: Board for Branch Pilots
4. Meeting/IFF Date: Board Meeting December 10, 2007

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 G. Stone
Signature

12-10-2007
Date