

**BOARD FOR BRANCH PILOTS MEETING
MINUTES**

The Virginia Board for Branch Pilots met on Friday, December 13, 2019, 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

Board member, Michael Coleman, was not present with regrets.

Staff present for all or part of the meeting were:

Mary Broz-Vaughan, 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:

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

Finding a quorum of the Board present, Ms. Piersall, President, called the **Call to Order** meeting to order at 10:30 a.m.

Ms. Nosbisch stated Mr. Behm will be arriving shortly, and Mr. Coleman sends his regrets.

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

Ms. Piersall stated the next meeting is March 13, 2020, she noted the agenda contains the incorrect time; the correct meeting time is 11:00 a.m. Mr. McDermott moved to approve the amended agenda. Mr. Host seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Avery, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

Approval of
Agenda

Captain Cofer moved to approve the minutes from the September 13, 2019 Board meeting. Captain Callis seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Avery, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

Approval of Minutes

There were no public comments.

Public Comment Period

Mr. Behm arrived to the meeting at 10:34 a.m.

Arrival of Board Member

Ms. Piersall stated the December Board for Branch Pilots meeting has been changed to December 14, 2020. Mr. Host moved to approve the revised 2020 meeting date. Captain Avery seconded the motion which was unanimously approved by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

Revision of 2020 Meeting Dates

Captain Robert Dozier retired October, 2019. Captain Cofer stated Captain Dozier served as a Branch Pilot for over 48 years. He served in the past as Vice President of the Association as well on the Board of Directors of the Virginia Pilot Association. It was noted that Captain Dozier was dedicated to the piloting profession. The Board recognized him with appreciation for his service.

Branch Pilot Retirement

The Board reviewed a letter from Captain Nathaniel T. Green, II, regarding an incident on September 23, 2019, involving the M/V IJSSEL CONFIDENCE.

Review of Notification Letter

On September 23, 2019, Captain Green was ordered to sail the M/V IJSSEL CONFIDENCE from *Elizabeth River Terminal* (ERT) Berth 2 to sea. The "IJSSEM CONFIDENCE" is a 590' x 98' bulk carrier drawing 32'05'. The sailing time was 0630. The vessel was portside to. Weather conditions were clear with light SW winds and the current was ebbing.

After conducting a Master/Pilot exchange with the Captain, Captain Green ascertained the ship was in good working order and they proceeded to get underway.

The docking master was using two tugs for the maneuver. The "Nancy McAllister" was made fast to the bow using the center lead and the "GM McALLISTER" was made fast to the starboard quarter. The docking master had the con and pulled the ship off the berth and proceeded to back the ship down river towards Money Point, where the ship would be swung to port and headed outbound. This is standard procedure for vessels of this length and draft.

During the turning maneuver the stern of the "GM McALLISTER" came into contact with the dock at *DCP Midstream* at approximately 0657 and damage

to that facility was incurred. The “M/V IJSSEL CONFIDENCE” never made contact with the pier or grounded.

Captain Green reported the incident to the USCG and proceeded to sea. In addition, after getting off the vessel, he arrived at the drug testing facility where he took the state and federal drug test.

After review and discussion, Mr. McDermott moved that staff request more detailed information on how the accident occurred in paragraphs three and four. Mr. Host seconded the motion which was approved by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott and Piersall. The item will be placed on the March 13, 2020 meeting agenda.

Captain Callis provided the Board with a report of examinations conducted by the Exam Administrators on December 13, 2019. The following report was made:

**Exam
Administrator’s
Report**

Captain Jacob R. Johnson answered oral questions related to the extension of route. The subjects included courses and distances from Cape Henry to Wolf Trap, safe anchoring positions in Cape Charles Anchorage, anchorage regulations in the Regulated Area, JHOC notification point, local knowledge and vessel traffic, draft limitations due to adverse weather and safe vessel speed.

After considering the results of the examination, Captain Callis moved Captain Jacob R. Johnson for an extension of route from Sea to Wolf Trap to include Cape Charles Anchorage. Captain Avery seconded the motion which was approved by Messrs., Mme. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

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; James William Cofer; January N. Collins; William G. Diggs; Ernest W. Dodson, Jr.; 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 9 &
10, 2019**

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*. Mr. McDermott 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: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, and Piersall. Captains Avery, Callis, Chisman, and Cofer 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 James River from Hopewell to Deepwater Terminal for J. William Cofer. Mr. McDermott seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Host, McDermott, and Piersall. Captain Cofer abstained from voting on his 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 James River from Dupont to Richmond Upper Terminal for J. W. Chisman. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Cofer, Host, McDermott, and Piersall. Captain Chisman abstained from voting on his license.

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, 2019. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

Captain Cofer provided a synopsis of the Virginia Pilot Association's apprenticeship program. He stated there are very minor changes included in this year's proposed apprenticeship training program being presented to the Board. The proposed training program does include additional simulator and manned model time trainees will be required to fulfill. Captain Chisman stated the objectives have been changed to coincide with the changing of training in the changing of the size of ships. The Virginia Pilot Association retains apprenticeship records for ten years; the United States Coast Guard retains the records for five years.

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

Mr. McDermott 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, and Piersall.

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. Nobsch stated Mr. Host and Mr. McDermott attend the Board Member Training. Each stated they learned a great deal. Mr. McDermott stated the Board for Branch Pilots is a unique Board with qualified professional with enormous responsibilities. He is proud to be a member of the Board. Mr. Host agreed.

Board Member Training Update

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

Financial Statements

Mr. McDermott moved to delegate the operation and administration of the Virginia Pilot Association's Apprenticeship Training Program to the Virginia Pilot Association for 2020. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Avery, Behm, Callis, Chisman, Cofer, Host, McDermott, and Piersall.

Other Business

Captain Cofer stated that previously the Board determined which continuing education courses Branch Pilots should complete. Those courses included renewal courses to be taken every five years: Bridge Resource Management for pilots and Advanced Manned Model training. In addition, Captain Cofer reported past courses taken in the last ten years included Emergency ship handling at MITAGS in Baltimore, MD., Propulsion systems including Kamewa and Azipod at MITAGS, Rader certification every five years, Use of Tractor Tugs in Ship Handling (Manned model training at MPI, Legal Issues for Piloting (American Pilots Association) and several GPS classes each time there is an upgrade to the pilots PPU's. To comply with the Board's directive, Captain Cofer notified the Board as to which courses branch pilots would attend over the next two years. Pilots will be attending the Electronic Chart Display and Information System (ECDIS), and Cyber Security seminar in 2020 and will enroll in the Maritime Pilot Institute in Covington, LA for ULCV manned model/simulator training of 18,000 plus TEUs training required every five years.

Continuing Education Review


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

Conflict of Interest Forms and Travel Vouchers

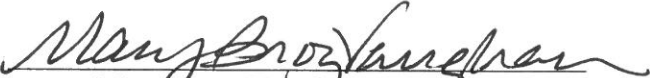
Ms. Nobsch stated the Conflict of Interest Act training is due December 31, 2019. The Financial Disclosure forms will be sent via email by January 2, 2020.

There being no further business, the meeting was adjourned at 11:18 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 December 13, 2019

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

NO

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

E. W. Avery

12/13/2019

**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, 2019
- 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
Signature

12/13/2019
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 December 13, 2019

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

J.W. Whiting Chisman III

Date

12-13-19

**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, 2019

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

12-13-19
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 13, 2019

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

Nature of Personal Interest Affected by Transaction:

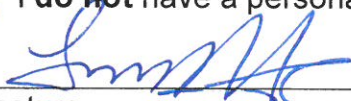
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

12-13-19

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, 2019

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

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, 2019

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

Nature of Personal Interest Affected by Transaction:

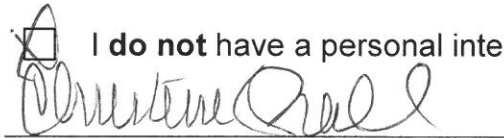
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I am able to participate in this transaction fairly, objectively, and in the public interest.

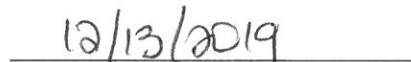
or

I did not participate in the transaction.

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



Signature



Date