

## **BOARD FOR BRANCH PILOTS MEETING MINUTES**

The Virginia Board for Branch Pilots met on Monday, April 30, 2012, at the Virginia International Terminals, 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  
Patrick B. McDermott  
Captain John A. Morgan, Jr.  
Meade G. Stone, Jr.

Board member Charles R. Amory, Jr. was not present for the meeting.

Staff present for the meeting was:

Gordon N. Dixon, Director  
Kathleen (Kate) R. Nosbisch, Executive Director

Joshua N. Lief, Senior Assistant Attorney General, was present from the Office of the Attorney General.

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

### **Call to Order**

Mr. Cherry introduced new board member, Patrick B. McDermott, and welcomed him to the Board. Mr. McDermott is filling the seat vacated upon the passing of William M. "Chippy" Martin III.

### **Welcome & Introduction of New Board Member**

Captain Callis moved to approve the agenda. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, McDermott, Morgan and Stone.

### **Approval of Agenda**

Captain Cofer moved to approve the minutes from the February 2, 2012 board meeting as amended. Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, McDermott, Morgan and Stone.

### **Approval of Minutes**

Captain Callis moved to approve the minutes from the March 27, 2012 board meeting. Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cofer, Edmunds, Host, McDermott, Morgan and Stone. Mr. Cherry abstained from voting as he was absent from the meeting.

Captain Morgan moved to adopt the following resolution:

RESOLUTION IN MEMORIAM OF

***William M. "Chippy" Martin III***

**Resolution for**  
**William M.**  
**"Chippy" Martin**  
**III**

WHEREAS, **William M. "Chippy" Martin III**, did faithfully and diligently serve as a member of the Virginia Board for Branch Pilots from November of 2004 to February of 2012; and

WHEREAS, **William M. "Chippy" Martin III**, did devote generously of his time, talent and leadership to the Board; and

WHEREAS, **William M. "Chippy" Martin III**, did endeavor at all times to render decisions with fairness and good judgment in the best interest of the citizens of the Commonwealth and this profession; and

WHEREAS, the Virginia Board for Branch Pilots wishes to mourn the passing of **William M. "Chippy" Martin III**, to whom the Board is in gratitude for his devoted service to the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, that the Virginia Board for Branch Pilots expresses the utmost regard and respect for **William M. "Chippy" Martin III**, and for his professional legacy; and, so that all may know of the Board's depth of sorrow and its expression of sympathy, it is ordered this resolution be spread upon the official minutes of the Board, and that a copy hereof be presented to the family of **William M. "Chippy" Martin III**.

Mr. Stone seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, McDermott, Morgan and Stone.

Captain Callis provided the Board with a report of the examinations conducted by the Examination Administrators on April 30, 2012. The following report was made:

**Exam**  
**Administrators**  
**Report**

**Adam L. Halstead**

Adam L. Halstead answered oral questions related to the raise in grade. The subjects included safe anchoring positions in Lynnhaven and Sewell's Point, anchoring deep draft vessels, overtaking situations, limitations of navigation equipment, usage of the deep water route in the southeast sealanes, under keel clearance and safe vessel speed. Captain Halstead stood a good examination and was found to be qualified. Captain Callis moved that Captain Halstead be raised from a Golf classification (55,000 gross tons and 42 feet maximum draft) to a Hotel classification (64,000 gross tons and 46 feet maximum draft). Mr. Host seconded the motion which was unanimously approved by Messrs. and Captains: Callis, Cherry, Cofer, Edmunds, Host, McDermott, Morgan

and Stone.

Ms. Nosbisch informed the Board that the final regulations are at the Governor's office for approval, day 210. Once the regulations are approved and signed, the regulations must proceed to the Registrar's office within 14 days to be published. A 30-day public comment period will follow.

**Regulatory  
Review Update**

At the February 2, 2012 meeting, Board members reviewed the *Merchant Mariner Credential Medical Evaluation Report* used for the pilot's required annual physical for license renewal and discussed drafting a resolution stating that the last page of the physical report satisfies 18VAC45-20-20.B.1 and any other relevant regulation or statute. Staff prepared a guidance document for the Board's consideration (in lieu of a resolution).

**Review of  
Guidance  
Document for  
Physical  
Examination  
Requirement of  
Annual  
Licensure  
Renewal**

Discussion was held on revision of the summary of the guidance document. Mr. Cherry stated that the Board will consider the revised guidance document at the August 1, 2012, board meeting.

Mr. Lief reported that he is expecting to receive the brief from Walter Hugh McCrory, Jr.'s counsel, in response to the Board's opening brief. He will have 14 days to file a response brief.

**Other Business**

Mr. Lief stated that he appreciated the Board's feedback and support regarding the opening brief.

Mr. Cherry introduced Elizabeth "Bet" Cake, the board liaison from the Board for Professional and Occupational Regulation.

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

**Conflict of  
Interest Forms**

There being no further business, the meeting was adjourned at 11:05 a.m.

**Adjourn**

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Bruce R. Cherry, President

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Gordon N. Dixon, Secretary