

Minutes of the Lower Coastal Commission of Pilotage Meeting

May 17, 2011

899 Morrison Drive
Charleston, SC 29402

Board members present were:

William P. Lempesis, Chairman
Mr. David Galloway
Capt. Chris Thornton
Mr. John Hassell

Staff and others present were:

Mrs. Kate Cox, LLR Administrator
Capt. Whit Smith, Chas. Harbor Pilots
Capt. John Cameron, Chas. Harbor Pilots
CDR Chris Marcy, USCG
Mr. Brad Gettelfinger, Moran Shipping
Mrs. Noreen Milligan, Secretary

The Commissioners of Pilotage for the Port of Charleston met Tuesday, May 17, 2011, at the Maritime Association Office, 899 Morrison Drive, in Charleston, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provide to the **Charleston Post and Courier** and proper notice also having been posted at the Maritime Association Office 24 hours prior to the time scheduled for the meeting and quorum having been noted as present. Chairman Lempesis called the meeting to order at 5:00 pm. All votes referenced herein were unanimous unless otherwise noted.

Chairman Lempesis asked the members to read the draft of minutes taken during the April 12th meeting. Commissioner Thornton **made a motion** to accept the minutes and Commissioner Galloway seconded the motion. Next, the Finance Report showed that checks written since the April 12th meeting totaled \$13,303.35 and there was one deposit for \$4,080.00. With all bills being paid, the Commission had \$9,173.72 on hand. Commissioner Galloway **made a motion** to accept the Finance Report and Commissioner Hassell seconded the motion.

Chairman Lempesis asked for public comment. There was none.

CDR Marcy gave the Coast Guard Report. The pilots have requested more information on vessel point of entry. The light on the Don Holt Bridge is out but should be back on soon.

Mrs. Cox gave the LLR Report. There is a new advice attorney on the LLR staff. His name is Mr. Sheridan Spoon. A correction was made to the LLR report to show there are 3 Short Branch pilots not apprentices. The Reg. 136-018 is now Document 4182 with a 120 day review expiration date for automatic approval of March 19, 2012. There will be a House Regulation Subcommittee meeting on May 19th in Columbia and the proposed Regulation is on the agenda. Mrs. Cox had documentation on the dredging of the Charleston Harbor that she handed out to the Commission. The Corp of Engineers gave \$150,000.00 towards the harbor dredging project. A formal complaint was prepared for a Consent Agreement which was signed and accepted by the

Commission. The Commission received an update from LLR on a second request from the pilots in performing certain services to client ships with pilot boats. Mr. Spoon, Legal Advice Council, advised the use of pilot boats is directed in Statute Section 54-15-190. He did suggest that the Commission with LLR's help could make a statute or regulation change. Mr. Spoon also advised that the request for "temporary permission for those other uses"... does not help in this request to carry passengers of items for special trips for hire. Commissioners Hassell asked what he meant by "temporary permission". Mrs. Cox said that she would have to get clarification from Mr. Spoon. Captain Cameron asked Mrs. Cox what the Commission needed to do to have a new Regulation done. She said to draw up the change to the Regulations and send it to LLR in Columbia which will help with drafting and posting. Commissioner Thornton asked Commissioner Hassell if he could have the Maritime Association inform the waterfront community that the pilots may have to stop services to ships until further notice. He said that he would. Mrs. Cox asked if it would be helpful for Mr. Spoon come to the next meeting to answer questions that the Commission had. The Commission agreed. She will let Ms. Milligan know if he can attend.

Captain Cameron handed out draft letters to the Commission on the Jasper Port. Commissioner Thornton suggested that they have time to read them and discuss them at the next meeting.

The Channel 13 invoices were paid and the Commission will discuss reimbursement at the next meeting.

The S.C. Militia letter said that pilots must be vigilant at all times for Home Land Security purpose. They are to be available to be used by other law enforcement if needed.

Captain Cameron handed out a letter for the Commission to review on changes to the Right Whale Regulation. The Commission will review it for the next meeting.

Under new business the Pilots had requested a rate increase of 1.5% during the April meeting. The notice for the increase was published in the **News and Courier** from April 14 to April 17. The increase for GT: present rate of \$55.45 to \$57.30 and increase for DF: present rate of \$22.96 to \$23.31. The Commission asked if anyone had any objections to the increase. There being no objections the Commission **made a motion** to pass the rate increase. The motion was carried.

Captain Smith said that Bob Bennett is still in the rehab facility but is improving. He is not stable yet for his surgery.

There being no further business to bring before the Board, the meeting was adjourned.

Respectfully submitted,

Noreen K. Milligan
Executive Secretary

Billy Lempesis
Chairman