

STATE OF ALASKA, DEPARTMENT OF COMMERCE,  
COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
**BOARD OF MARINE PILOTS**

**MINUTES OF MEETING**

**October 19, 2011**

**Teleconference originating at the Atwood Building  
550 West 7th Avenue, 15th Floor  
Commissioner's office  
Anchorage, Alaska**

By the authority of AS 08.01.070(2), AS 08.62.030, and in compliance with the provisions of AS 44.62, Article 6, a special meeting of the Board of Marine Pilots was held October 19, 2011 via teleconference.

**October 19, 2011**

**Call to Order/Roll Call**

The meeting was called to order at 0900 by Chairman Curtis Thayer. The Marine Pilot Coordinator (MPC) conducted roll call.

Members present constituting a quorum were:

Mr. Robert Arts	- Agent Member
Captain David Arzt	Pilot Member
Mr. Rick Erickson	- Agent Member
Mr. Robert Richmond	- Public Member
Mr. Tylan Schrock	- Public Member
Mr. Curtis Thayer	- Commissioner's Designee

Staff present:

James McDermott	Marine Pilot Coordinator (MPC)
Nick Atwood	Assistant Attorney General
Quinten Warren	Chief Investigator (CBPL)
Gary Keiser	Investigator (CBPL)

Public present:

The public was duly noticed of this special meeting on October 10, 2011.

**Agenda Item 1**

**Review / Set Agenda**

The Chairman introduced the agenda for this special meeting. Two (2) investigations have come before the Board. One of these investigations was prepared for this special meeting of the Board; the other will be addressed at the next scheduled Board of Marine Pilots in Seward, Alaska, November 9, 2011. Both instances were brought to the attention of the Board by their respective associations and the masters of the vessels involved. The prepared investigation will be addressed as New Business, Report of Investigations, and will be discussed in Executive Session.

01:33 Mr. Robert Arts motioned to approve the Agenda, seconded by Mr. Robert Richmond.

01:47 Old Business will be postponed to the next scheduled Board of Marine Pilots in Seward, Alaska, November 9, 2011.

**Agenda Item 2      Business Items**

02:25 Investigations - The Chairman describe the subject investigation in broad terms as a life and safety issue and entertained the motion to go into Executive Session. Mr. Robert Arts motioned to go into Executive Session; Mr. Tylan Schrock seconded the motion to go into Executive Session. The motion passed unanimously.

03:07 At 0906 the Investigation Report moved to Executive Session.

03:20 At 1000 the Board came out of Executive Session. The Chair revisited the agenda and called for declaration of potential conflicts of interest or recusals.

**Declaration of Potential Conflicts of Interest / Recusals**

03:38 Mr. Robert Richmond stated that at one time (15 or 16 years ago) his law firm represented a marine pilot in a case involving the *Star Princess*<sup>1</sup>. Mr. Richmond did not indicate a conflict of interest involving himself in this investigative matter.

04:05 The Chair recognized that Mr. Richmond's declaration was a case that had been cited in an investigative matter 16 years ago in which the law firm of Mr. Richmond was involved, but not the board member himself.

04:27 No board members raised Mr. Richmond's declaration as an issue. No additional declarations were presented.

04:56 The Chair entertained a motion to the Board to forward the order of summary suspension in the case of licensed marine pilot Captain Lewis G. Picton.

05:15 On a motion by Mr. Richmond, seconded by Mr. Schrock, and without dissent, by a roll call vote, it was


RESOLVED to move the order of summary suspension of Captain Picton's marine pilot's license on referral to the Office of Administrative Hearings.


Arts	Yes
Arzt	Yes
Erickson	Yes
Richmond	Yes
Schrock	Yes
Thayer	Yes

06:50 The Chair called for any new items to come before the Board. Hearing none, the Chair mentioned the venue for the next Board meeting in Seward on November 9, 2011.

07:40 The Board adjourned 1005.

Respectfully submitted:

  
James McDermott  
Marine Pilot Coordinator

  
Curtis W. Thayer, Chairman  
AK Board of Marine Pilots

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<sup>1</sup> The legal case represented by Mr. Richmond's law firm involved a marine pilot contracted for services by the cruise ship *Star Princess*. Mr. Richmond was not the attorney on the *Star Princess* matter.