



BOARD OF EXAMINERS

New Orleans and Baton Rouge Steamship Pilots for the Mississippi River

Lee A. Jackson
Commissioner

Casey E. Clayton
President

Kevin G. Alario
Commissioner

AUGUST 31, 2022 QUARTERLY MEETING MINUTES

1. **Call to Order**

The special meeting was called to order at 9:01 a.m. by President Casey Clayton.

2. **Roll Call**

Roll call was taken. Board members present were President Casey Clayton, Captain Lee Jackson, and Captain Kevin Alario.

Also present were Ralph Wall, Cory Grant, and Jason Cavignac.

3. **Adoption of the Minutes**

Captain Alario made a motion to approve the May 25, 2022 Quarterly Meeting Minutes; June 27, 2022 Special Meeting Minutes; July 20, 2022 Special Meeting Minutes; and August 9, 2022 Special Meeting Minutes; Captain Jackson seconded. The motion was approved with all Examiners voting in favor.

4. **General Session**

a. **Update: Board Office Space**

Second part of order to complete initial assessment of office furniture needs has been made. Complete order will be \$1850 below previously approved budget.

b. **Update: Apprenticeship Program/Deputy Pilot Program**

Data gathering challenges delayed the ability of the BOE to analyze whether Deputy Pilots were ready for reduced restrictions going forward. Rather than allow the BOE to receive turn data on Deputy Pilots, after initial refusal, NOBRA allowed BOE members to just view the data. The BOE concluded data would be collected directly from Deputy Pilots as opposed to NOBRA. Concern was expressed that this change in process could be burdensome, but Deputy Pilots have been fully informed that they will be individually responsible for reporting data. Notice was sent to NOBRA regarding Deputy Pilots approved for reduced restrictions.

c. Update: Drug/Alcohol Testing Procedure

Bi-Annual Hair Testing: Discussion about ways to potentially further randomize selection of groups of pilots for bi-annual hair testing. Given constraints and potential disruption of services, the present plan of coordinating via watch and pilot numbers appears to be the most efficient approach.

Random Testing: Discussion about BOE and NOBRA Board Members are also required to undergo random testing but because they are not in rotation, notice will be given requiring a week to complete testing.

d. Update: Pilot Assistance Program

Cpt Alario and Cory Grant have met to discuss resources and begin attempting to identify potential resources to make available for pilots facing potential substance abuse, grief, and other mental health challenges.

e. Discussion: USCG Annual Physicals

USCG requires an annual physical for every licensed pilot. BOE has historically collected completed physicals to ensure compliance with its own Standards of Conduct. Most pilots have continued to comply, but recently there has been some objection to this ongoing process. The BOE has approved several options to demonstrate compliance. Pilots that have failed to comply will be given notice and opportunity to demonstrate compliance. Consideration of potential electronic submission of proof of physicals is being made.

f. Discussion: NOBRA Pilot Contact Information

NOBRA has refused to provide updated pilot contact information. BOE will rely upon previously provided information to attempt to obtain updated information from the pilots individually.

g. Discussion: Anti-Harassment for NOBRA

Annual process will proceed forward as previously established.

h. Discussion: Rules/proposed changes

A discussion was initiated regarding the “recency requirements” contained in §6307. Consideration for changing the definition of a turn to allow more turns than just ones that are 20 miles or longer, and to remove inequity in present regulation regarding VTC. BOE expressed desire for seeking support from NOBRA and members. Cpt. Alario commented to scheduling a meeting with Cpt. Wattigney on this matter.

2. Executive Session

Captain Clayton made a motion to go into executive session pursuant to La. R.S. 42:17 to discuss the below items; Seconded by Captain Alario. A member of the public made a comment/objection to the Board’s procedure of entering Executive Session. The motion was approved with all Examiners voting in favor.

- a. Individual Pilot Reviews
- b. Incidents Pending Before the Board
- c. Board of Review Complaint
- d. Existing Litigation Update
 - i. Ted Davisson v. Board of Examiners, et al., 24th JDC, Case No. 823705, Div. “C”
 - ii. Jeremy Smith v. Board of Examiners, et al., 24th JDC, Case No. 825241, Div. “G”
- e. Return to Regular Session

Captain Alario made a motion to return to regular session; Seconded by Captain Jackson. The motion was approved with all Examiners voting in favor.

6. Any Necessary Votes Arising from Executive Session

Motion to advance Cpt. Dominic Blanton to permit his operation of vessels up to 820’ LOA effective August 31, 2022 by President Casey Clayton, seconded Captain Kevin Alario. The motion was approved with all Examiners voting in favor.

Motion to terminate investigation into incident involving *Nomadic Milde* based upon no finding of error by President Casey Clayton, seconded Captain Kevin Alario. The motion was approved with all Examiners voting in favor.

Motion to terminate investigation into incident involving *Torvanger* based upon no finding of error by President Casey Clayton, seconded Captain Kevin Alario. The motion was approved with all Examiners voting in favor.

Motion to terminate investigation into incident involving *Chem Ranger* based upon no finding of error by President Casey Clayton, seconded Captain Kevin Alario. The motion was approved with all Examiners voting in favor.

7. Adjournment

Motion to adjourn meeting by Cpt. Jackson; seconded by Cpt. Alario. The motion was approved with all Examiners voting in favor.