

Cook Inlet Harbor Safety Committee
Managing Board of Directors
DRAFT Meeting Summary v0.2
29th September 2016
Anchorage, Alaska

Attendees

Board Members

Senator Peter Micciche, President
Captain Ron Ward, Vice-President
Captain Marc Bayer, Treasurer (teleconference)
Steve Catalano, Secretary
Steve Ribuffo, Chairman of Cook Inlet Harbor Safety Committee

Ex Officio

Geoff Merrell, Alaska Department of Environmental Conservation
Young Ha, Alaska Department of Environmental Conservation
Captain Paul Albertson, USCG COTP Western Alaska

Others

Tim Robertson, Contractor, Nuka Research and Planning Group, LLC
Captain Peter Garay, Chairman Navigation Workgroup (teleconference)
Commander Hector Cintron, Chairman of the Harbor Safety Plan Workgroup

The quarterly meeting of the Cook Inlet Harbor Safety Committee (Cook Inlet HSC) Managing Board of Directors (Board) was held at the Port of Anchorage in Anchorage, Alaska at 09:00 hr on 29th September 2016.

I. Call to Order

Senator Micciche called the meeting to order. The agenda was approved by consent.

II. Approval of Meeting Summary from May 13th, 2016

A motion to approve the meeting summary from the May 13th meeting was passed without objection. (SR, RW)

III. Election of Officers

The election of officers was deferred to the February 2017 meeting to conform with the requirements of the Bylaws of the Corporation.

IV. Membership Committees and Workgroups

a. Vacancies

The Board considered vacancies in the Committee and Work Groups. It was agreed that the vacancies will be noted in the email to publicize the October Committee meeting and also noted on the website. The President will also speak about vacancies in his report to the Committee on October 28.

b. Appointments

i. LNG Carrier Operators, Primary

The LNG Carrier Operators seat became vacant when Captain John Taylor resigned in July. A motion to appoint USCG Captain Mark DeVries (Ret.) as the primary representative of the LNG Carrier Operators seat for the remainder of Captain Taylor's term as approved without objection. (MB, RW)

ii. Marine Firefighting Work Group Chairman

The Marine Firefighting Work Group Chair became vacant when Captain John Taylor resigned in July. A motion to appoint Chief James Baisden as Chair and Todd Duke as co-chair of the Marine Firefighting Work Group was approved without objection. (SR, SC)

iii. Port of Anchorage, Alternate

A motion, to confirm Sharen Walsh at the alternate for the Port of Anchorage was approved without objection. (SR, SC)

iv. AK Department of Environmental Conservation (ADEC), Primary

The ADEC primary seat became vacant when John Kotula resigned. A motion to confirm Geoff Merrell as the primary ex-officio for ADEC was approved without objection. (RW, SC)

c. New Ex-officio Seat

i. Nikiski Fire Department

The Board discussed the merits of adding a new ex-officio seat for the Nikiski Fire Department. They are the primary first responders for marine fires in the central Cook Inlet and have been participants in both Committee and Work Group meetings. A motion to create a new ex-officio seat for the Nikiski Fire Department and confirm Chief James Baisden and the primary representative was passed without objection (SC, SR)

V. Secretary and Treasurer's Report

a. Secretary's Report

Steve Catalano provided a brief report. He will work with Kristine Schmidt to determine what filings are necessary for the corporation and report back to the Board at the next meeting.

VI. Treasurer's Report

Captain Bayer provided a Treasurer's Report (attached). Total contributions to the corporation are 33,000.00 and total expenditures today have been \$14,537.67, thus the current bank balance is \$14,537.67, which is sufficient to cover the anticipated expenses for the remainder of the year. The Board agreed to review and pass a 2017 budget at their next meeting. This budget will set the suggested contribution levels for next year. It was noted that the attorney has not submitted a billing yet. Steve Catalano will contact her and request a bill.

(Captain Bayer departed the meeting, Captain Paul Albertson joined the meeting)

VII. Old Business

a. Changes to Charter Rev. 11/4/15

The Board reviewed and discussed the suggested changes to the charter. A motion to adopt the following Amendments to the Charter was approved without objection. (RW, SC)

Amendments to Charter Document . . . Changes are highlighted in yellow, additional language is underlined and deletions are ~~struck through~~.

4.2.2 The terms of primary voting members and their alternates shall be three years, except for the initial appointment where half of the committee will be appointed for two years to allow for terms to be staggered. Delegates of agencies or organizations serve for the term of appointment by their organization. There are no term limits. The Board may remove any Committee or Workgroup member for cause by two-thirds (2/3) vote of all Directors then in office, at any regular or special meeting of the Board.

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4.2.5 The Cook Inlet HSC is the deliberative body responsible for carrying out the mission of the organization. The HSC provides the forum for discussion of matters of waterway safety and management, and establishes appropriate best practices and Standards of Care for safe operations in the waterway. The HSC is responsible for development and adoption of a Harbor Safety Plan for the Cook Inlet Waterway. The Chairman of the HSC will appoint a chairman for any additional work groups formed by the Cook Inlet HSC.

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4.3 Work Groups

The Cook Inlet HSC shall have the ability to establish work groups as needed to address specific issues. Work groups may be standing work groups working on specific, long-range strategic goals or they may be temporary ad-hoc work groups with short-term objectives. The HSC will establish mission or scope-of-work statements that will serve as a work group's guide for measuring progress and success.

Two standing work groups are established through this charter:

- Navigational Safety Work Group to be chaired by a SWAPA Pilot
- Harbor Safety Plan Work Group to be chaired by USCG Sector Anchorage Waterways Management Chief

The Chairman of the HSC will appoint a chairman for any additional work groups formed by the Cook Inlet HSC. Work group members can include members of the HSC or subject matter experts as needed to accomplish the mission of the work group. Work group members are nominated by the Chair of the Work Group and confirmed by the Managing Board of Directors.

Work groups will operate by consensus of those present and shall present their recommendations to the HSC for approval.

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5.2 Non-Voting Membership

Non-voting members will include the following seats:

- a. U.S. Coast Guard (USCG)
- b. U.S. Army Corp of Engineers, Alaska District
- c. U.S. National Oceanic and Atmospheric Administration
- d. Department of Defense, Joint Base Elmendorf - Richardson
- e. Marine Exchange of Alaska
- f. Alaska Department of Environmental Conservation (ADEC)
- g. Alaska Department of Transportation and Public Facilities
- h. Kenai Peninsula Borough, Nikiski Fire Department

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7. Governance

Governing rules for meetings shall be the the Cook Inlet HSC Charter, and Robert's Rules of Order.

End of amendments to Charter

b. Policy discussion of Committee Members serving on Board

The Board discussed the possibility of Committee members, other than the Chairman of the Committee, serving on the Board. It was noted that the Convening Work Group for the organization established a separation of the Board from the Committee to allow the Board to appoint Committee members and maintain a distinction between the duty to oversee the business of the non-profit corporation (the Board) from the duty to set standards of care and best practices (the Committee). The Board decided that no changes were merited at this time.

c. Harbor Safety Plan Draft approval process

Commander Cintron reviewed the process for approving and modifying the Harbor Safety Plan (HSP). A DRAFT HSP has been submitted to the Committee for approval at the October 28th meeting. Once it is approved, the HSP will be reviewed annually by the HSP Work Group. Other Work Groups or Committee members can submit recommended changes to the HSP Work Group at any time. If the HSP Work Group determines that the Plan should be amended, they will publish a record of changes with proposed language. The record of changes will be available on the website at least 30 days before a scheduled Committee meeting for review by other Work Groups and the public. The Committee will consider comments on the proposed revisions of the plan before voting on any motion to amend the plan.

The Board concurred with this process.

d. Report on 501-(C)(3) Status

Tim Robertson reported that Kristine Schmidt felt that the 501(c)(3) designation would be approved by the IRS by the end of the year and anyone contributing to the non-profit corporation in 2015 would be eligible to deduct their contribution in that tax year.

VIII. New Business

a. Approval of HSC FAQ

A motion to approve the FAQ Sheet (attached), with the amendment of adding Nikiski Fire Department to the list of ex-officio members, was approved without objection. (SR, RW)

b. Committee Meeting Agenda for 10/28/16

The Board discussed the Draft Agenda for the October 28th Committee meeting. They suggested adding a discussion to the changes in the Charter to the Managing Board Report.

c. Teleconference Availability For Committee Members

The Board discussed the policy of prohibiting Committee members from participate in meetings by teleconference and made no changes to the policy.

d. Appreciation letter/gift for Captain John Taylor

The Board discuss the possibility of providing an appreciation gift and letter to Captain Taylor for his service as a Committee member and a Chairman of the Marine Firefighting Work Group. Everyone agreed that the Board should express their appreciation. Senator Micciche volunteered to find an appropriate gift and draft a letter for Captain Taylor.

IX. Teleconference with Workgroup Chairs

Captain Pete Garay joined the meeting by teleconference and discussed the Navigation Work Groups progress. A meeting of the Work Group is scheduled on October 6, 2016. They will consider an amendment to the Under Keel Clearance policy. If approved at that meeting, Captain Garay will add the proposed amendment as an action item under his report on October 28. The group discussed the possibility of the Navigation Work Group defining vessel draft types and suggesting updates to the Coast Pilot to incorporate best practices established by the Harbor Safety Committee. The Work Group will consider these suggestions.

X. Confirmation of Work Group Membership

The Managing Board reviewed nominations that were presented by the work group chairmen for membership after the May Committee meeting. A motion to confirm all nominations, with the exception of the nomination of Mr. Tom Lakosh to the Salvage Work Group, was approved without objection. (RW, SR) The Board noted that Mr. Lakosh did not have the experience or credentials to serve as a Subject Matter Expert on the Salvage Work Group. Steve Ribuffo will discuss this matter with David DeVilbiss.

XI. Review Action Items and Set Next Meeting

a. Action Items

- Nuka Research will notify new members and chairmen of their appointment.
- Steve Catalano will work with Kristine Schmidt to determine what filings are required for corporate continuance and if a financial audit is required. He will also request an invoice from her law firm.
- Senator Micciche will arrange for an appreciation gift and letter for Captain Taylor.
- Nuka Research will request a Work Group report from each of the chairmen as part of the meeting material for the October 28th Committee meeting.
- Steve Ribuffo will contact David DeVilbiss about Work Group member confirmations.

XII. Adjourn

The meeting was adjourned at 11:55 hr.

Attachments:

Treasurer's report.

FAQ sheet.