

PORT AUTHORITY

Minutes of the 357th Meeting of the Board of Directors of the Port Authority held at Government Administration Building @ 1600 hours on Monday , 10th March 2014.

Present:


Mr. Errol L. Bush MBE, (Chairman)
Mr. Gerry Kirkconnell (Deputy Chairman)
Mr. Paul W. Hurlston, (Secretary)
Mr. Ashton Bodden JP
Mr. Robert Foster
Mr. Arek Joseph
Mr. Michael Nixon – Ministry of Finance
Ms. Jacqueline Scott
Mr. Woody Dacosta
Mr. Stran Bodden – Ministry of Tourism

Attendees: Mr. Clement Reid – Deputy Port Director
Mr. Shawn Ebanks – Land & Sea Corp – Chairman
Mr. Darney Kelly – Safehaven Boat owner
Capt. Frank Ebanks - ``
Capt. Bryan Ebanks - ``
Mr. D Kelly - ``
Mr. Waide DaCosta – Legal Counsel for Land & Sea Corp.
Mr. Scott Slaybough – DOE
Mr. Mark Orr - DOE

Apologies:



		NOTICE AND QUORUM	
		The Chairman noted that due notice of the Meeting had been given to all Members and that a quorum existed. Accordingly, the Meeting could proceed.	
1		Welcome and Call to Order	
		The Chairman welcomed members	
2		Apologies and absences	
		N/A	
3		Confirmation of Previous Minutes	
		• N/A	
4		Matters Arising	
		• N/A	
5		Safehaven Licence Agreement	

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| | <ul style="list-style-type: none">• The Chairman said that the Licence Agreement had been sent to all Safehaven boat operators by the Ministry and this meeting was called to discuss this Licence.• He noted that after the marina is completed all boat operators will have to move from the Dragon Bay interim site to the new Port Authority Marina.• He also noted that the issues, namely prescriptive rights, dock height and rip-rap that had caused a number of boat operators to take legal action against the Port Authority and Dragon Bay has now been resolved and opened the meeting for input from those in attendance.• Capt. Frank Ebanks said that he has retained legal counsel and felt that this Licence Agreement was an an insult and illegal. • Mr. Shawn Ebanks explained from his perspective the events that had taken place over the years at the Marina. He stated that the Land & Sea Corp had always cooperated with the Port Authority in facilitating the construction of the marina and questioned why the Land & Sea Corp had been left out of all recent negotiations between Government, Port Authority and selective boat operators. He said that he was told by the Chairman in a recent telephone call that the Deputy Premier said that Capt. Bryan Ebanks represented all the boaters at Safehaven but he disagreed. He also noted that there are more boats that operated permanently out of Safehaven than there are slips in the new marina and questioned how it will be determined who gets a slip. He informed the Board that the Corp currently have eight vessels that are permanently moored at the Safehaven Marina. The Corp will require eight slips for the members that are currently moored at the Marina and an additional slip to act a drop off/pick up for their others | |
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members who have boats moored elsewhere. Therefore they will require nine slips in total.

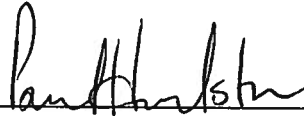
- Mr. Woody DaCosta said that from the meetings held with the boat operators this Licence Agreement emerged as the best solution.
- The Chairman said that no slips at this time have been allocated and it was never the intention not to involve the Land & Sea Cop in these negotiations.
- Capt Bryan Ebanks explained the process that he went through from the inception of the marina and noted he had direct talks with Mr. Wayne Panton the former Chairman of the Port Authority who actually signed the Safehaven Marina Agreement and encouraged the Board to contact Mr. Panton if they required clarity on any issue. He noted that Mr. Panton had been very supportive of their legal case and had contributed CI\$ 10,000.00 to the cause. He went on to say that he felt this Licence Agreement is an injustice to them and that they cannot afford CI\$700.00 per month berthing fee and therefore cannot accept this proposed Licence Agreement. He noted that while the operators recognize and appreciate that a new marina was needed it is unfair to them to be asked to pay for such an elaborate facility. He is of the opinion that it is unfair for the Port Authority levy a tariff to cover their operational cost for this elaborate facility. The analogy was made that the Port built a Cadillac when all that the operators required was facility without all the bells and whistles.
- Mr. Waide DaCosta explained some of the legal issues surrounding this Licence Agreement. He called for both parties (Land & Sea and Capt. Bryan's group) to come together and work for a common cause of trying to find the best solution. He said that it will require more time from a legal perspective to study this proposed Licence



		<p>Agreement and suggested a series of future meetings after he and perhaps Capt. Bryan's group lawyer go over the Agreement. This was Agreed. The date and time of these meetings are to be determined. He also noted that the Port Authority should be cautious with the developer of the Marina if we are indeed going to safeguard the current boat operators at Safehaven. He also noted that it was a public marina and this gives the public at large certain rights to the marina.</p> <ul style="list-style-type: none"> • Mr Woody DaCosta said that the Port Authority understands the cost issues with running the marina and have cut back the operations of the marina to keep the operational costs to a minimum but that the Authority must at the least cover these costs through berthing fees. • Mr. Shawn Ebanks gave a proposal to the Chairman asking for the Land & Sea Corp to operate the Safehaven Marina. 	
6.		Other Business	
		N/A	
		Adjournment	
		There being no further business the meeting was adjourned at 1730 hours.	



Errol L. Bush - Chairman



Paul W. Hurlston (Secretary)

