



CAYMAN PORT

**BOARD OF DIRECTORS MEETING
Port Authority of the Cayman Islands
45A Harbour Drive
31st July 2018
Meeting No. 431**

A meeting of the Port Authority of the Cayman Islands Board of Directors was held on Tuesday, 31st July 2018 at the Port Administration Building, 45A Harbour Drive, Grand Cayman, Cayman Islands.

1. Welcome and Call to Order

Chairman Errol Bush welcomed attendees and called the meeting to order at 1:40 pm.

2. Attendance and Apologies

Members Present

Mr. Errol Bush - Chairman
Mr. Richard Parchment
Mr. Perry Powell on behalf of Mr. Stran Bodden (Ministry of DAT&T)
Mr. Ashton Bodden, JP
Mrs. Jacqueline Scott-Rankine
Mr. Robert Foster
Mr. Charles Clifford – (HM Customs)
Mr. Joseph Woods – Acting Port Director

Apologies for Absence(s):

Mr. Ken Thompson
Mr. Arek Joseph, OBE – Deputy Chairman
Mr. Michael Nixon (Ministry of Finance)

Other Attendees

Mr. Scott Slaybaugh and Mr. Michael Guiderian – Department of Environment
Mr. David Collier – Ritch & Conolly





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3. Quorum

IT WAS RESOLVED that in accordance with Section 17 (1) (g) of the Public Authorities Law 2017, a quorum of the simple majority of the Members who are entitled to vote were present and that the business would proceed.

4. Review and Approval of Minutes

Minutes 428, 429, 430 were reviewed and accepted. It was moved by Ashton Bodden and seconded by Robert Foster that Minutes 428 be approved. All members unanimously voted to approve. It was moved by Richard Parchment and seconded by Ashton Bodden that Minutes 429 be approved. All members unanimously voted to approve. It was moved by Robert Foster and seconded by Ashton Bodden that Minutes 430 be approved. All members unanimously voted to approve. All three minutes were signed.

5. Matters Arising from Previous Minutes

Minutes 428

5a) Cruise Berthing

Mr. Powell from the Ministry stated that he had no update. Acting Port Director informed the Board that the agreements were actively being worked on. The information that had been requested of the Port Authority previously had now been provided.

5b) Cargo Yard Update

The Chairman informed members that he had spoken with Will Jacobs who advised that four of the operators were doing well, but two still required more hands on experience to become more proficient. The Acting Port Director confirmed that was the case.

5d) Vehicle License By Laws

The Chief Officer's representative stated that he had no update.

5f) Konecrane Operator Certification

The Acting Port Director informed members that Konecrane has informed us that they will now provide a certification course of one-week duration for eight staff at a cost of \$26,000. The Board unanimously approved for the RTG Operators to be certified once they had become proficient enough and would likely pass the exam.

5g) Receiver of Wrecks Policy

The Acting Port Director stated that he reviewed the Policy from documents that had been submitted to the Board in a previous meeting and it mirrored the sections set out in the Merchant



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Shipping Law. The only thing that was not present was a formal log record to collate all instances, but the log that was created many years ago was still applicable and could be added to it. The Board unanimously agreed to adding the log to the Policy.

5h) Purchase of Spare Parts from Konecranes for RTG Cranes

The Acting Port Director stated that he had no update on the order which had been actioned.

6a) Digital Library

This would be actioned once the IT Department had completed the installation and commissioning of the HR Plus and Accounting softwares.

6b) Staff Email Addresses

The Acting Port Director advised that having spoken with staff who did not have port email addresses, he believed that it would not work, as they stated they do not use email. It would also mean additional cost for the port to pay for user licenses. Deputy Chief Officer, Perry Powell suggested having those members of staff without email sign as receiving the correspondence issued for their attention. The Acting Port Director accepted the suggestion and members unanimously supported it.

6d) Organizational Assessment

The Acting Port Director supplied members with a proposed Organizational Chart.

6f) Secondary Employment By Staff

The Acting Port Director informed members that an email was sent to Human Resources to obtain a register of persons engaged in outside employment, but only a few staff had responded. HR Staff will be sent around to record the information from staff.

6g) System Administrator Position

The Job Description had been written and evaluated by the JEC. The next step will be advertising. The Public Authorities Law will be followed. Members queried whether they could see the documentation of the process followed once the interview process had been completed and the evaluation done with the names redacted and the Acting Port Director agreed to doing so.

6i) Acting Appointments

The Acting Port Director advised that in addition to those named in the Minutes, he also had to appoint Donovan Hutchinson to act for Deputy Director & CFO, James Parsons, but that had not been done at the time due to not knowing the length of time the Deputy Director & CFO would have been off.

6o) Waterline & Hydrant on the Cargo Dock

The Acting Port Director advised that PACI was in the process of having estimates done to have the new line installed.





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6s) Safety Audit

The Acting Port Director provided a report from the Safety Manager on the initial action he has taken on the Safety Audit as well as other safety incidents and occurrences.

6w) Port Trucks

The Acting Port Director presented the Capex budget from the Financial Report indicating that there is \$300,000 available to purchase trucks and requested approval to acquire as many trucks as could be purchased for that amount. Members unanimously approved the request.

6y) RBC Account

The Acting Director advised that as soon as the Board Minutes #428 were signed, he could proceed with having his signature added to the Account.

Minutes 429

7a) Availability of Land for CDC Expansion

The Chairman advised that he had made efforts to contact Edward Howard of the NRA, without success to ascertain information regarding a future proposed road through the property that is for sale.

7b) Police Investigations

The Acting Port Director advised that the investigations are still ongoing.

Minutes 430

8c) The Board members requested that the Chairman speak with the Minister of Tourism concerning ensuring that Maritime Cayman takes the lead on the IMO Audit and not PACI, as PACI does not have the expertise. The Chairman of the Board accepted.

6. New Matters

a) Tortuga Request to Renew Lease of Shop in Port Administration Building for 5 Years

The Acting Port Director presented members with a letter and the lease contract from Tortuga Rum Company indicating that they would like to exercise their option to renew the lease of the office space in the Port Administration Building for 5 years and requesting permission to send request to Ritch & Conolly for advice on whether that time can be reduced to one year in light of the proposed development of the cruise berthing facility.

Members unanimously approved for the Port Director to seek legal advice from Ritch & Conolly on the matter.

b) Request for Approval to Employ 16 Staff for Cargo Operations and four for Maintenance.





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The Acting Port Director presented a request to members to employ 16 staff for Cargo Operations (10 for the Cargo Distribution Centre daytime and 6 for the Dock Operations nighttime) and four staff for Facilities Maintenance.

Members unanimously approved the request for the 20 staff to be employed. Members directed that the terms of the Labour Law be applied to the new hires; specifically, they paid 5% of their Pension and PACI paid the other 5% and they paid 50% of their medical insurance and PACI paid the other 50%. On termination of their employment, or on retirement, their medical would terminate after three months in accordance with the Labour Law.

c) Presentation of Mega Yacht Moorings

Mr. Scott Slaybaugh and Mr. Michael Guiderian attended and gave a presentation on a proposal to install one more Mega Yacht mooring along Seven Mile Beach corridor north of the Harbour, one in Cayman Brac and one in Little Cayman. They will fund and oversee the installation, but would like PACI to manage, inspect, maintain and repair. Moorings would be restricted to only visiting Yachts. The Acting Port Director advised that PACI could manage and inspect, but it would need to contract out maintenance and repairs as it did not have the equipment to handle that sort of job, which led to a discussion of funding the cost of maintenance and repairs.

Members supported the idea, but would like Central Government's and the Department of Tourism's direction on it before committing.

d) Request Approval To Change Policy Of Paying Time And A Half for Staff Working Nights For All Staff Recruited After July 31, 2018

The Acting Port Director requested approval to implement a policy abolishing time and a half pay to employees engaged on night duty and instead pay a fixed monthly salary to any employee employed after July 31, 2018, regardless of whether they are assigned to day, or night duty.

Members unanimously approved the request.

e) OAG Report

Mr. David Collier attended to provide legal advice on matters of the OAG report.





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f) Letter from Carey Olsen re Staff Claim of Short Pay from 2007

The Acting Port Director presented a letter from Carey Olsen law firm representing PACI night staff alleging that they have been short paid for vacation, sick and other leave from 2007 to 2017. He advised that it is being investigated internally to determine if correct and that PACI's attorney had written to Cary Olsen seeking additional time to verify the claim.

Members unanimously approved that direction and asked for an initial report for the next meeting.

7. Other Business

a) Spotts Pier Underwater Pictures

The Acting Port Director presented a video showing the undermining that had occurred at the end of Spotts Pier. While the pier does not appear in danger of collapsing, it would be vulnerable to breaking off due to hydraulic action in the event of bad weather.

Members will consider at the next meeting.

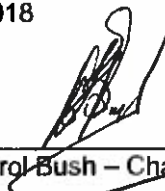
b) Acting Port Director's Two Month Report

The Acting Port Director presented members with a report of activity for his two month's in office.

Members will consider at the next meeting.

8. Adjournment and Date of Next Meeting

The Acting Chairman adjourned the meeting at 6:00pm. The date of the next meeting is August 9, 2018



Mr. Errol Bush – Chairman



Mr. Joseph Woods – Recording Secretary

