



# CAYMAN PORT

## BOARD OF DIRECTORS MEETING Port Authority of the Cayman Islands 45A Harbour Drive 8<sup>th</sup> June 2020 Meeting No. 463

A meeting of the Port Authority of the Cayman Islands Board of Directors was held on Monday 8<sup>th</sup> June 2020 via ZOOM from the Port Administration Building, 45A Harbour Drive, Grand Cayman, Cayman Islands.

### 1. Welcome and Call to Order

Due to COVID-19 measures, there was no formal Board Meeting, but rather, the meeting was conducted electronically via ZOOM.

### 2. Attendance and Apologies

#### Members Present on the ZOOM meeting:

Mr. Kearney Gomez – Chairman  
Mr. Arek Joseph – Deputy Chairman  
Mr. Stran Bodden (Ministry of Tourism)  
Mr. Michael Nixon – (Ministry of Finance)  
Mr. Charles Clifford – (CBC)  
Mr. Ashton Bodden, JP  
Mr. Ken Thompson  
Mr. Richard Parchment  
Mrs. Jacqueline Scott-Rankine  
Mr. Robert Foster  
Mr. Joseph Woods – APD

#### Apologies for Absence(s):

Nil

#### Invited Attendees

Nil



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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 responded electronically and that the business would proceed.

## 4. Review and Approval of Minutes

Minutes 462 were distributed electronically. Mr. Richard Parchment moved that Minutes 462 be accepted and Mr. Robert Foster seconded. All members voted to accept the minutes.

## 5. Matters Arising from Previous Minutes

Nil

## 6. New Business

### a) Request By Additional Boat Owners To Berth Vessels On The North Side of Safehaven

The APD presented a request by some additional Boat Owners seeking to berth their vessels on the North Side of Safehaven Marina, but pointed out that section 3c of the Grant of Easements applicable to the property does not permit vessels to be moored on the north side of the property. **Members all agreed that the request was not possible and voted to deny the request.**

### b) Audit & Risk Committee

The Chairman advised that he had met with the Auditor General with respect to her findings that Board Members were interfering with the operational matters of the Port as pointed out in the ISA 260 Report. His view was that the Audit & Risk Committee had served its function and as such, he was proposing that it be disbanded. He stated that matters formerly handled by it could be rightly addressed by the Board through the Acting PD.

**Deputy Chairman Arek Joseph, Members, Robert Foster and Ashton Bodden supported the Chairman's proposal, while Jacqueline Scott-Rankine and Richard Parchment objected to it being disbanded. Ken Thompson asked what would be the process should a similar occurrence present itself. The Chairman advised that there were a number of ways that it could have been dealt with, such as using POCs to carry out the enquiries and report to the Board, which would keep the Board out of operational matters. Mr. Joseph suggested that Finance and HR Departments provide monthly reports and they could be called to the Board should there be any questions. Ken Thompson then supported the Chairman's request. Deputy Chairman, Arek Joseph suggested another option would be to suspend the committee rather than disband it. Ms. Scott-Rankine and Mr. Parchment asked for their objections to be minuted. The motion has been deferred until the next Board meeting when it will be decided whether to disband, or suspend the A&R Committee.**





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**e) Organizational Chart**

The Acting PD advised that the last revision of the Organizational Chart occurred two years ago in July 2018 and while the basic structure remained the same, there were some tweaks and small enhancements required to various departments. He displayed the revised chart and explained those changes to members and requested that the changes be accepted.

**Members Jacqueline Scott and Richard Parchment requested copies of the documents. Deputy Chairman, Arek Joseph and Members Ashton Bodden, Robert Foster and Ken Thompson agreed with the proposed changes to the Organizational Chart. The matter will be further discussed and a final vote taken at the next Board meeting.**

**f) Safety Officer Report**

The Acting Port Director presented the Safety Manager's report for the Month of May 2020.

**g) Advertisement of Port Director Position**

The Chairman advised members that he wished to advertise for applicants to fill the position of Port Director and would like the Ministry to handle the process.

**Members were in agreement. Member and Chief Officer, Stran Bodden, stated that his Ministry would handle the recruitment process.**

## 7. Other Business

**a) Storage Fees Reinstatement**

The Acting Port Director requested the reinstatement of storage charges now that the COVID-19 curfews had concluded.

**Member and Chief Officer, Mr. Stran Bodden, advised that the Deputy Premier had approved for PACI to reinstate on June 15, 2020, the charging of storage fees for cargo remaining uncollected after the permitted days.**

**b) Importation of Vehicles**

**Member, Robert Foster, stated that Seaboard had about 600 vehicles sitting in Jamaica waiting to be shipped to Cayman. 200 had been shipped last Wednesday, but more were arriving faster than they were able to clear them out and wanted to know if PACI could acquire more property to store them on.**

The Acting PD advised that it would not be prudent for PACI to lease property to store vehicles on at this time of reduced revenue and stated that PACI is using its three sites to store cars on and each week, depending on the numbers that are cleared and collected, it would continue to advise Seaboard Marine on the quantity of vehicles that it could accommodate on each voyage.

**c) The Acting PD advised that he would be on vacation from June 10 to 17, 2020. Deputy Director, Willem Jacobs would be the POC while he was off.**



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## c) Procurement Policy

The APD advised that the Policy was drafted by the Audit & Risk Committee in conjunction with the CFO and presented to the Board by the A&R Chairman for approval. He had not been involved in the drafting of it and had found it contained numerous instances where it conflicted with the law, examples included Board involvement with the Procurement Process. The APD recommended that the Policy be disbanded and PACI follow the directions of the Law and Regulations which were quite clear.

**Members Jacqueline Scott and Richard Parchment objected to disbanding the Policy. Member Charles Clifford opined that it was a question of whether the policy was ultra vires to the law and it clearly was. Member, Stran Bodden, suggested disbanding the policy and issuing guidelines, such as what his Ministry had done and advised that he would share those guidelines with the Acting PD so that PACI could develop similar guidelines. Deputy Chairman Arek Joseph, Members, Ashton Bodden, Ken Thompson and Robert Foster agreed to disbanding the policy and adopting the guidelines, while Members Jacqueline Scott-Rankine and Richard Parchment did not agree. The motion was carried to disband the policy and develop guidelines.**

## d) Adoption of Government Salary Scales


The Acting PD made a presentation advising the Board that PACI had never had salary scales and had existed on an arbitrary set of bands for decades. Section 47 of the Public Authorities Law stipulated that all Statutory Departments use the same Salary Scale, but it had never been achieved. He presented the factors that had to be considered, plotted where various categories (bands) of workers fell on the government scale and showed where new employees to PACI would be more appropriately placed within those groups. The identification and adoption of dual bands would enable a simple, yet effective transition. It offers structure, order and uniformity to salaries. It enables better planning, forecasting and budgeting of staff costs. It allows PACI to reward staff for good performance as per the newly introduced Staff Performance Appraisal System. The Acting PD therefore requested the approval to adopt Government's Salary Scales.

**Deputy Chairman Arek Joseph supported the request to adopt and transition of PACI to Government's Salary Scales and stated in his opinion it met the requirements. Member Ashton Bodden supported the adoption and transition to Government's Salary scales. Members, Robert Foster and Ken Thompson and Ashton Bodden supported the adoption of Government's Scales in principle. Members Jacqueline Scott-Rankine and Richard Parchment requested a copy of the documents before making a decision. The Acting Port Director promised that he would circulate the document to members and it was agreed to adopt the Government's Salary Scales in principle with a further vote on it at the next Board meeting.**



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There being no further business, the meeting concluded and was adjourned at 4:26pm on June 8, 2020. The date of the next scheduled meeting is June 25<sup>th</sup> 2020, but that is likely to change to early July 2020.

  
Mr. Kearney Gomez – Chairman

  
Mr. Joseph Woods – Recording Secretary



