

## **MINUTES – MEETING # 531**

### **AGENDA ITEMS**

A meeting of the Board of Directors for The Port Authority of the Cayman Islands, was held in the was held in the PACI Administration Building in the Boardroom, 113 Seafarers Way, Grand Cayman, Cayman Islands on June 26<sup>th</sup> 2024 at 12:30 PM.

#### **WELCOME AND CALL TO ORDER**

The Chairman, Mr. Cline Glidden welcomed the attendees and called the meeting to order at 1:33 PM. Mr. C. Glidden gave a word of prayer.

#### **1. ATTENDANCE AND APOLOGIES**

##### **Members Present:**

- i. Mr. Cline Glidden - Chairman
- ii. Mr. Richard Parchment - Deputy Chairman
- iii. Mrs. Carilee Bolen - Board Member
- iv. Ms Irma Arch - Board Member (zoom)
- v. Mr. Joel Francis for - Stran Bodden – Ministry of Tourism and Ports (zoom)
- vi. Mr. Matthew Adam - Board Member
- vii. Mr. Ashton Bodden, JP - Board Member
- viii. Mr. Michael Nixon - Ministry of Finance
- ix. Mr. Charles Clifford - Cayman Islands Custom and Border Control
- x. Mrs. Jackie Scott-Rankine - Board Member

##### **Apologies for Absence:**

Mr. Paul Hurlston – Port Director

##### **Invited Guest:**

Mr. Donovan Hutchinson – Acting Deputy Director of Finance and Administration  
Mr. Taylor Foster – Car City/Arch Automotive  
Mr. Taron Jackman – Deloitte Cayman Islands  
Ms. Ashly Lynn – Deloitte Cayman Islands  
Mr. Winston Sobers – Auditors General Office  
Mr. John Leiya – Auditors General Office



## QUORUM

**IT WAS RESOLVED** that in accordance with Section 17(1)(g) of the Public Authorities Act (2020 Revision), a quorum of the Members who are entitled to vote, were present and business could proceed.

## 2. REVIEW AND APPROVAL OF MINUTES

**Meeting Minutes were Differed.**

## 3. MATTERS ARISING FROM PREVIOUS MINUTES

**NIL.**

### **Update on Cranes and Equipment Purchase**

- a) The Acting Deputy Director of Finance and Administration updated the members on acquiring and purchasing the new equipment. He advised the Members that the Port Director had met with the two leading crane distributors and explained that the meeting went very well and the distributors would reach out to the Port in the upcoming weeks. He said that the Port is pursuing a direct award for the forklift to augment the Port fleet. The Acting Deputy Director of Finance and Administration explained that all the documents were prepared and were in progress to be sent to the Public Procurement Committee, and the Port is awaiting their approval. He advised that if all goes well with the port submission, the Port will look at six (6) to eight (8) weeks to manufacture the equipment. A discussion ensued. The Port Director will give an update in an upcoming meeting.

### **Training and Succession Planning for Port Staff**

- b) The Chairman reminded the Members of the discussions that had taken place at the Board's Annual meeting. The Chairman spoke about the opening positions and the challenges posed by training and development for the Port staff. The ADDFA pointed out that they have been on several training over the past two years for staff members. He agreed that a training program geared towards staff involves training the employees to help develop their skills and knowledge so that they may have position advancement and be promoted within the Port Authority when positions become available. The Deputy Chairman pointed out that the Port has supported employees with their studies, such as Associate, Bachelor, and certification, in the past; he explained that the offer has gone out and hopes that staff will be encouraged to proceed with these benefits. The Chairman advised that Management should continue to inspire, motivate, and push the staff members who are interested in their advancement. A discussion ensued. **The members agreed and are in support of the continuation of training and succession planning for all Port staff.**

### **Update on Recruitment Process**

- c) The Chairman pointed out that changes were discussed in the last meeting on the Deputy Director's positions, and as such, there were revisions to be made to the organizational chart. A discussion about this topic ensued. The Acting Deputy Director of Finance and Administration briefed the





members on the status of the ongoing recruitment progress. **It was decided that as the Port Director was not in attendance for the meeting, the item would be differed and discussed with the Human Resources Manager at an upcoming meeting. All Members agreed.**

### **Update on Port Renovations in Cayman Brac**

- d) The Acting Deputy Director of Finance and Administration provided an update on the renovations completed at the Port facilities. He explained that the Facilities Manager and his team had successfully finished several projects at the Cayman Brac Port location. The Chairman requested that the report on the facilities renovations be postponed and discussed at an upcoming meeting, where the Facilities Manager will be present to provide an update on the flagpole. **All members agreed.**

### **NEW BUSINESS**

#### **Shippers Update on Electric Vehicles (EV) Shipping Policy**

- a) The Chairman introduced Mr. T. Foster, who gave an updated presentation on the Electric Vehicles (EV) shipping policy. Mr. T. Foster advised the members that he had been working diligently since his last meeting with the board members on moving forward with solutions for the (EV) project. Mr. T. Foster explained what support he would need from the Port and CBC to set up the (EV) training courses. Mr. T. Foster informed the members of the first responders' training with the Fire Department and other government entities and pointed out that the training was successful. Mr. T. Foster explained that the other aspect he would like to concentrate and work on with both the Port and CBC would be to work on creating a policy. He stressed the need for involvement of as many people from both entities as possible in the training on July 22nd, 2024. Mr. T. Foster spoke about the storage, handling, and destruction of lithium batteries. He explained that determining how the batteries would be disposed of would be in Cayman's best interest. Mr. C. Clifford pointed out that he would need only his inspection team, which consists of twenty people (20), to be a part of the training with the Port staff. Mr. N. Nixon strongly advised that DEH and many other government agents should be involved in policy development. Mr. M. Nixon suggested that a presentation from Mr. T. Foster could be presented to Minister Bryan and Minister Turner, who could bring a presentation to the Caucus. **The Chairman requested that the Board Secretary and the Acting Deputy Director of Finance and Administration liaise with the Human Resources Department and Mr. T. Foster to set up the staff training. He pointed out that the Port would bear the cost of fully training the staff. The Chairman requested that Mrs. I. Arch reach out to Minister Turner on the project. All Members agreed. The Chairman thanked Mr. T. Foster for his presentation.**

#### **Public Relations Support Position**

- b) The Chairman advised the members that he and the Port Director spoke on a Public Relations Support position as the Port Authority has grown, and there is a need for an individual who can inform the Public about matters of the Port. The Acting Deputy Director of Finance and Administration pointed out that the position was already on the organizational chart and was approved and included in the budget. **The Chairman requested a meeting with all members to discuss the organizational chart. He asked that this agenda item be differed. All Members agreed.**





## Meeting with the Auditor General's Office

- a) The Chairman welcomed the Auditor General's Office and the Deloitte Group to the meeting. The Audit and Risk Chairwoman, Mrs. J. Scott-Rankin, reviewed section (47.1) and section (47.2) of the Public Authorities Act. The Audit and Risk Chairwoman explained that the Port Authority has now adopted S (47.1) and have also adopted the Civil Service salary scale adhering to the law. She explained that no training was given to the Board regarding the adoption of S47 of the PAA and that the Board wanted information on how to apply sections (47.1.2) correctly. The Audit and Risk Chairwoman pointed out that it has now become publicly clear that other Government agencies are facing the same lack of understanding of S47. The Audit and Risk Chairwoman read the ISA 260 report's results and the Auditor General's office's recommendation. She pointed out that in 2017, under a previously adopted salary scale, some positions had already transitioned onto that scale. The Chairwoman asked if the Auditor's General Office could give some feedback regarding the report as there was still a pending deficiency. What was the concern regarding compliance with section (47).

The Auditor's General Office (AGO) thanked the PACI for calling the meeting. The AGO representative explained that when they draft the ISA 260, they must provide the information collaboratively before the report is finalized. He added that their offices would like to have meetings to discuss adding value and ensure the report is accurate and correct before signing off. The AGO explained that in review of the report, there was a point raised regarding two employees being compensated on a lower scale than what was recommended, and there was another matter that was not put on the report that had caused concern around the night workers and their scales. A discussion ensued on this topic. The AGO representatives reviewed section (47) and the terms and conditions to complete the report. The Auditor General's Office explained that if the Port Authority feels that there was some ambiguity or the report lacks clarity, they are willing to work with the Port Authority to rectify the issue and make the adjustment where necessary.

From her understanding, the Audit and Risk Chairwoman expressed that section (47.2) refers to section (58), which refers to the date after commencement. She reviewed section (58) of the Act. The Audit and Risk Chairwoman queried whether this section refers to a physical person or a post existing before 2017 when the law came into place. The Audit and Risk Chairwoman also questioned the correct or legal interpretations.

The AGO explained that the Public Authority Act has many interpretations, and a discussion ensued. The Auditor General's Office explained that their legal view is that it refers to an employed person, and their salary should transition to the scale once the employee was active in 2017.

The Audit and Risk Chairwoman explained that 98% of the staff had been transitioned to the scale. She explained that these positions were not acting positions and that the members were informed that their interpretations were incorrect. She pointed out that the job descriptions sent out to be reevaluated were individuals already in the positions at the Port.

The AGO pointed out that they agreed with the Audit and Risk Chairwoman's interpretations. The Auditor General's Office queried what feedback the Port received from PoCs.

The representative from Deloitte pointed out that he was interested in the interpretations and guidance that the AGO could provide. The Deloitte representative pointed out that Deloitte has been working with other Government entities, and they are also having issues with what is





required by the law with the adoption and implementation of section (47). He explained that everyone had a variety of responses as it seemed to be a gray area and expressed that different SAGCs have managed this section differently. The representative from Deloitte expressed that since the AGO raised the point that the section had not been implemented, he assumed that the Auditor General's Office would have the answer as to what it meant to be implemented. The representative from Deloitte pointed out that this is why everyone sought guidance from the AGO regarding what would constitute adhering to section (47). He pointed out some of the areas of contradiction and ambiguity. He explained that terms such as salary scale, salary bands, remuneration, and terms and conditions of employment are used. The representative from Deloitte pointed out the other issues encountered with the sections. One adoption is that you must be on the same scale, but the government provides free pensions and health care. In contrast, many SAGCs have a separate arrangement where the employees pay into these benefits. The representative of Deloitte explained that the complete numeration package must be considered. The representative from Deloitte reviewed all the sections and spoke about the job description analysis completed by PoCs, and that from his understanding, the Port Authority is compliant. A discussion ensued.

The AGO representative advised that section (47) has two sections, and the Port has completed adopting one, the salary scale and is currently working with PoCs to evaluate job descriptions. Due to section (47.1) being fully aligned, the Auditor General's Office will recommend that the Port Authority is compliant with section (47.1). The Auditor General's Office representative explained that they would speak to the Auditor General about the discussion and concerns brought up in the meeting and seek to have a meeting with updates.

The Audit and Risk Chairwoman also reminded the AGO representative to suggest that section (47) be redrafted to include clear guidance notes.

The Chairman thanked the guests for their time and guidance and was glad to hear that the Port Authority did what it was supposed to do. He added that she hopes the Port Authority establishes a relationship with the Auditor General's Office. **The Chairman requested the Audit and Risk Committee to follow up on the updates of the report.**

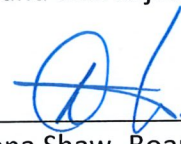
### ANY OTHER BUSINESS

- a) The Chairman point out that he had received a complaint about the maintenance of the Spotts Dock upkeep. The Chairman requested that the Acting Deputy Director of Finance and Administration to look into the matter.
- b) The Chairman informed the members of the outline business case on cargo Port process. He explained that the consultants gave a presentation to Caucus and then next stage of the process is the Public consultation will be July. He queried whether the Board wanted a formal presentation. **The members agreed that they would like to have a formal presentation.**
- c) The Chairman point out to the members that an agreement needs to be made for Snappers. It was pointed out that the Port Legal representative gave their opinions. The Chairman presented the two options gave by the Port Legal representatives. He informed the members that based on legal advice the recommendation is that the Port can move on making an agreement with the Snappers group. A discussion ensued. **A motion was moved by R. Parchment and seconded by C. Bolen. All members supported the legal advice.**



There being no further business, the meeting concluded and was adjourned at 5:00pm.

  
Mr. Cline Glidden – Chairman

  
Ms. Joanna Shaw -Board Secretary

Date: August 29<sup>th</sup> 2024

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