



ATOSSCOM



Association of Terminal Operators,
Stevedoring and Shipping Companies of Micronesia

47th ANNUAL CONFERENCE MEETING

Hotel Nikko, Guam

December 5-6, 2022

MINUTES

I. CALL TO ORDER

There being a quorum, the meeting of the ATOSSCOM 47th Annual Conference was called to order at 9:30 a.m., Monday, December 5, 2022. Present at the meeting were:

Lee C. Cabrera, President
Charles B. Stinnett, Vice President
Steven P. Muna, Secretary
George R. Torwan, Treasurer

Regular Members

Present: American President Lines (APL), Belau Transfer and Terminal Company, Commonwealth Ports Authority, Eurasia Pacific Lines, Federated Shipping Company, Kosrae Port Authority, Kosrae Terminal and Stevedoring Company, Majuro Stevedore and Terminal Company, Mariana Express Lines, Matson, Norton Lilly International, Palau Sea & Air Transportation, Palau Shipping Company, Pohnpei Port Authority, Port Authority of Guam, RMI Ports Authority, Saipan Shipping Company Inc., Saipan Stevedore Company Inc., Truk Transportation Company, Inc., WAAB Transportation Company. **Absent:** Pohnpei Transfer and Storage, Rota Terminal and Transfer Company, Inc.

Associate Members

Present: Ambyth Shipping and Trading, Kyowa Shipping Company, Ltd., Marianas Steamship Agency (MSA), Omega Safety Compliance Asia Pacific, Seabridge Inc./Cabras Marine Corporation, Swire Shipping Owners Marshall Islands, Triple B Forwarders Inc. **Absent:** Pacific Shipping.

Honorary Member and Non-Members

Present: John B. Santos, Micronesian Shipping Commission (MSC), Mobil Oil Guam, Inc. One Micronesia World Logistics.

PRESENTATIONS

Opening Ceremony

Presentation of Colors by Port Police, National Anthem sung by Melchor Perez from Port Authority; Island Cultural Chant by Leonard Z. Iriarte, I Fanlalai'an Oral History Project; Invocation – Fr. Romeo D. Convozar.

Welcoming Remarks

Rory Respicio, Port Authority General Manager; Lee Cabrera, ATOSSCOM President; Honorable Charles I. Obichang, MSC Chairman & Minister of Public Infrastructure, Industries & Commerce, Republic of Palau.

Key Note Speaker

Honorable Lourdes A. Leon Guerrero, Governor of Guam. The Governor welcomed all those present and thanked the people of Guam in meeting all the initiatives through the pandemic and also thanked everyone in general in moving forward in a safe place. Keeping our Ports safe is the theme of this conference and that is what we have been following safety of the ports. Guam and the CNMI were added to latest route destination to the American Marine Highway Program encourages the American navigated natural water way for the movement of freight and manmade transportation of the existing container movements. The Department of Transportation Maritime Administration awarded Guam \$5.7M in Grants under the AMHP for 2-40 ton loaded container handling, 1-180 foot boom lift, 9-container yard tractors, and 2-40 plug mobile reefer generator equipment.

Introductions

Each member had a few minutes to introduce themselves and their guests, briefly highlight current issues and developments.

Port Authority of Guam – Port Readiness Plan

Rory Respicio, PAG General Manager; Joe Javellana, PAG Chief Planner; Clarence Lagutang, PAG CIP Manager.

USCG The Evolution of Cyber Risk and Security

CAPT. Nicholas Simmons, Captain of the Port, Sector of Guam.

Port Users Group Guam (PUGG)

Joe Cruz, Port Users Group Chairman mentioned to everyone about the working relationship between the Port and Shipping Agents. Meetings are held on the 2nd of every month. The mission and goals of this group is to facilitate communications and find solutions to operate at the Port of Guam on matters to our respective operations. He thanked the Port General Manager for working with them. He mentioned working with everyone has been very helpful and gave a brief history of the PUGG in all aspects. We encourage our partners of Micronesia to get involved.

Adjournment of First Meeting Day at 4:00 p.m.

RECONVENED: The annual conference meeting reconvened at 9:30 a.m. on Tuesday, December 6, 2022. Present at the meeting were:

Lee C. Cabrera, President
Charles B. Stinnett, Vice President
Steven P. Muna, Secretary
George R. Torwan, Treasurer

Regular Members

Present: American President Lines, Belau Transfer and Terminal Company, Commonwealth Ports Authority, Federated Shipping Company (FSC()), Kosrae Port Authority, Kosrae Terminal and Stevedoring Company, Majuro Stevedore and Terminal Company, Mariana Express Lines, Matson, Norton Lilly International, Palau Sea & Air Transportation, Palau Shipping Company, Pohnpei Port Authority, Pohnpei Transfer and Storage, Port Authority of Guam, RMI Ports Authority, Saipan Shipping Company Inc., Saipan Stevedore Company Inc., Truk Transportation Company, WAAB Transportation Company. **Absent:** Eurasia Pacific Lines, Rota Terminal and Transfer Company.

Associate Members

Present: Ambyth Shipping and Trading, Kyowa Shipping Company, Marianas Steamship Agency, Omega Safety Compliance, LLC., Seabridge Inc./Cabras Marine Corporation, Swire Shipping Owners Marshall Islands, Triple B Forwarders Inc. **Absent:** Pacific Shipping Inc.

Honorary Member and Non-Members

Present: John B. Santos, MSC, Mobil Oil Guam, Inc. One Micronesia World Logistics

PRESENTATIONS

Business Perspectives on Pandemic Impact

Catherine Castro, Guam Chamber of Commerce President.

Illegal Entry

Ignacio Peredo, Guam Customs & Quarantine Director.

Mr. Peredo spoke on Chinese Immigrants coming into Guam from CNMI. In the past year and a half, small craft and abandoned vessels, or just dropped off. Either there being charged or extradited back to the CNMI. Waiver Program for Tourism and Foreign Labor are allowed into the CNMI, and over stayed in Saipan. Both Governors from Saipan and Guam were trying to work on sending them back to their country. Biggest challenge is that they pass through the U.S. Immigration in Saipan. A company has been helping with drones to help us catch them from Hagatna Boat Basin, Gun Beach, and Ritidian Point. The Governor formulated a multi-task force

with the Government of Guam Law Enforcement Agencies which consists of Guam Customs, Guam Police Department, Port Authority of Guam, Department of Agriculture Fish and Wildlife, and the office of the Attorney General, and the reason for this task force is to provide resources for the agencies to not only deter but try and stop the influx of Chinese Nationals coming into our island. This task force executed an operation known as Operation Lucky 8. All vessels should have clearances from CNMI and Guam for whatever they are carrying, and he continued to give information on rules and regulations of federal charges.

RMI Maritime Investment Plan

Capt. Brian Tuomi, World Bank Project Manager

ATOSSCOM BUSINESS

I. Roll Call

There being a quorum, the meeting of the ATOSSCOM Annual Conference was called to order at 1:30 p.m., Tuesday, December 6, 2022. Present at the meeting were all those mentioned above in the morning session.

II. MSC/ATOSSCOM Discussions

Mr. President opened the floor for open discussion with MSC. Mr. John B. Santos asked what is the progress of Palau or FSM Project Plan, nothing at this moment. Documents and requirements from Customs and Immigration are required at the ports.

III. Adoption of Minutes

Kosrae Terminal and Stevedoring Company made a motion to adopt the minutes of the 46th Annual Conference held in Guam on July 31-August 2, 2019, seconded by Palau Shipping Company. Motion was unanimously passed.

IV. Financial Reports

Bank of Guam

Description	Beginning Balance 11/18/2022	Ending Balance 6/30/2023
Checking Account	\$78,389.04	\$92,639.63
Alfred Santos Training	\$17,360.00	\$20,660.00
Time Deposit Account	\$27,515.49	\$27,516.85
	\$123,264.53	\$140,816.48

2023 Membership Fee Payments

Membership	Amount Paid	Projected Fees
Regular Members	\$6,500.00	\$12,000.00 24 members * \$500.00
Associate Members	\$2,250.00	\$4,500.00 10 members * \$450.00 ⁴
	\$8,750.00	\$16,500.00

Note: Payments made recently will be reflected on the next financial report.

2023 Budget Revenue

Membership	Anticipated
Regular Members	\$12,000.00 24 members * \$500.00
Associate Members	\$4,500.00 10 members * \$450.00
Guest Fee Avg.	\$1,700.00 34 guests * \$50.00
	\$18,200.00

Description	2022 Budget Expense	2023 Budget Proposal
Executive Meeting: Venue, Luncheon/Dinner	\$1,500.00	\$1,500.00
Annual Conference Venue/Host: Port Authority of Guam	\$6,500.00	\$8,000.00
Airfare-ATOSSCOM Recording Secretary	\$1,000.00	\$1,500.00
Website Maintenance	\$895.00	\$895.00
Training Per Diem (28 days x 2 pax \$55)	\$3,080.00	\$6,160.00
Bank Service Charge (12mos \$26), Service Charge (\$6), Paper Statement Fee (\$20)	\$312.00	\$312.00
Miscellaneous	\$1,000.00	\$2,500.00
Legal Services – Articles of Incorporation, Re-Filing Fee, Non-Profit Status Annual Filing Fee, Service Processing Agent (Annual Fee)	\$4,000.00	\$1,000.00
Total Expense:	\$18,287.00	\$19,967.00
Net Income/Loss	\$87.00	\$1,767.00

The Summary of Membership Payments for the period of FY2009 thru FY2022 as well as the Statement of Activities as of June 30, 2023 were provided to the members for their information. Secretary Muna reminded the members that for any proxy (ies) in representation of other guest members will be responsible to pay the dues of \$50.00 per guest.

Mr. Secretary explained to the members the cost and breakdown of the legal services fee done through zoom meetings due to Articles needed to be filed in Palau which will be further addressed in item under New Business.

Mr. Jerry Kramer, Majuro Stevedore and Terminal Co. mentioned that the Membership Fee is not enough to cover expenses and requested for a breakdown of expenses (what is a reasonable budget) amount does not include sponsorship. Mr. President mentioned that the proposed FY2023 Budget is just a proposal. Mr. Secretary mentioned that we need to purchase equipment for ATOSSCOM to be up-to-date at present we have no equipment, and using all personal use. Mr. William Keldermans, Palau Shipping Company asked if bank paper statements could be done electronically and Mr. Secretary responded once we are chartered and officially filed that would take care of the bank statements and address electronic statements. Membership Accounts and arrears are getting caught up and updates will be done after the conference. Past Due/Delinquent Members was supposed to take place on March 31, 2023. The Treasurer should have been sending out notices. Mr. John B. Santos, Honorary Member mentioned that if you are delinquent three (3) consecutive years Membership will be terminated, but amendments were made and need to be discussed. Ms. Bernadette Valencia, Matson mentioned that there is \$123,000.00 in the account and asked what can be done with this fund.

Mr. Jerry Kramer, Majuro Stevedore and Terminal Co. made a motion to increase the Annual Conference Fee amount for FY2023 Budget from \$6,500.00 to \$8,000.00, seconded by Mr. Chris Tenorio, Commonwealth Port Authority. Motion was unanimously approved.

Mr. Patrick Bulaon, Matson made a motion to adopt the financial reports, seconded by Mr. Jerry Kramer, Majuro Stevedore and Terminal Co. Motion was unanimously approved.

V. Old Business

Mr. President mentioned the ATOSSCOM Charter and Bank Account status update. Mr. John B. Santos, Honorary Member explained that the original Charter was spelled ATOSCOM and now was changed to ATOSSCOM, and had to give a clean copy to the Legal Counsel which included all amendments approved in the past. The Executive Committee reviewed/approved the new Charter and By-Laws and needs the blessing of the ATOSSCOM Members. Mr. President asked the members for a motion to adopt the Legal Services Fee of \$3,000.00 for the office of Siegfried Nakamura Atty. At Law. Mr. William Keldermans, Palau Shipping Co. made motion to approve Legal Services Fee, seconded by Mr. Canney Palsis, Kosrae Terminal and Stevedoring Co. Discussion followed, Mr. John B. Santos, Honorary Member mentioned that it will be filed in Palau, Chartered in Palau, physical address and dual business in Palau. Mr. Secretary mentioned that guidance is being provided by Attorney Nakamura on what needs to be done for filing in Palau. Without further discussion, the motion on the floor was unanimously approved.

VI. New Business

Motion to adopt the proposed Resolution relative to amending the bylaws of the Association of Terminal Operators, Stevedoring and Shipping companies of Micronesia to allow participation for the Executive Committee to hold its annual meetings by teleconference or similar communication equipment or device by Mr. William Keldermans, Palau Shipping Co. and seconded by Mr. Canney Palsis, Kosrae Terminal and Stevedoring Co., Mr. President opened for

discussion (there being none), he asked the members all in favor say I and Nay (none), motion was unanimously passed.

VII. Water Transportation Training Program

Mr. Secretary mentioned there was supposed to be a training in 2020 for the next participants of Kosrae and Palau but unfortunately COVID hit and everything was shutdown. Matson had committed to the Water Transportation Training Program and delivered a check for \$3,500.00 for two participants and training accommodations. As the training did not take place, Matson advised to apply the amount for the next training program. The Water Transportation Training Program was made possible through an MOU by and between the parties of ATOSSCOM, Port Authority of Guam, Matson Navigation, and Marianas Steamship Agency. The MOU allows for two (2) trainee slots to be trained for four (4) consecutive weeks. Training program takes place between June or July. Next Training Program Participation: Mr. Secretary said the participants for the next training program are representatives from the islands of Kosrae and Palau, if they decide not to send anyone it will be the islands of Majuro and Rota. He reminded those present about the 'Participation Criteria' of the Water Transportation Training Program, which states in part:

- Must be a Terminal/Stevedoring Company
- Must be a Regular Member for a minimum of five (5) consecutive years
- Must be in good standing with the association for five (5) consecutive years. Trainee fills out Trainee Application Form and sends a copy of the form to include a copy of his/her passport via facsimile/email to the Port Authority of Guam one (1) month in advance of schedule training date.
- Upon receipt of the trainee application a copy of the signed MOU by the Guam based sponsor members and a copy of the Indemnification and Hold Harmless Agreement form will be sent via facsimile/email to the Agency/Company providing the trainee and the trainee to sign and acknowledge. Agency/Company to send completed forms back to PAG via facsimile/email for processing.
- Guam based sponsor PAG will request from the ATOSSCOM Board Treasurer for check disbursement for per diem in the name of the trainee.
- The per diem will be in the amount of \$1,540.00 = 28 days x \$55.00 for two (2) trainees \$3,080.00 for the training period to cover meals, land transportation, and miscellaneous expenses.

VIII. Election of Officers

Mr. President mentioned that at the Executive Committee we ask for the memberships consideration given the fact while waiting on the Attorney for process of the Articles Constitution and By-Laws and for the ATOSSCOM Treasurer who is stepping down and will stay on until we complete the process. Mr. Secretary mentioned that all positions are up for election, we will decide which positions will be staggered for continuity. There were no objection from the members.

IX. Host for 2023 Annual Conference

Mr. President mentioned that the ATOSSCOM Annual Conference is normally held in conjunction with the Micronesian Shipping Commission (MSC) and encourage for this arrangement to remain constant. Mr. Patrick Buluan, Matson proposed to hold the next annual conference in Hawaii. Majuro, Pohnpei, and Saipan also offered to host.

X. Open Discussion

Mr. President opened the floor for open discussion. Mr. Jerry Kramer, Majuro Stevedore and Terminal Company asked what do we do with our money (revenues are not enough and dues). He thanked the Executive Board for a job well done. Mr. President mentioned being proposed is to raise the guest and membership fees. He said that a survey will be sent out in raising the fees for Regular Members from \$500.00 to \$1,000.00 and Associate Members from \$450.00 to \$900.00 and guest fee from \$50.00 to \$100.00.

Mr. Patrick Buluan, Matson asked do we become a force to advocate our own government, to bring positive change to our industry to all the front liners and essential workers that are charge of bringing the valuable freight into our countries, probably get a person to do the work for us. He said what do we want to do, we need to take time to think about it.

Mr. Secretary mentioned that we are working on the website to make it more informative and user friendly.

XI. Adjournment of Conference

There being no further business to discuss, it was moved by Commonwealth Ports Authority, seconded by Matson to adjourn the meeting at 4:30 p.m. The motion was unanimously passed.



JENNIE C. UNTALAN, Recording Secretary

APPROVED BY:



STEVEN P. MUNA, Atosscom Secretary