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**Draft decision and commitment list Island Council meeting, February 3<sup>rd</sup>, 2021 at 9:30 am  
at V.A. Lopes Legislative Hall (Government Guest House)**

Present: Chairlady: Ms. M.A.U. Francis, Government Commissioner

Deputy Government Commissioner: Ms. Claudia Toet

Island Council Members: Mr. C. van Putten, Ms. R. Leerdam, Mr. N. Sneek, Mr. R. Merkman,  
Ms. F.A. Spanner

Deputy Registrar: Ehsan Jami

Absent:

	<b>Agenda point</b>	<b>Decisions &amp; Commitments</b>
1.	<b>Opening</b>	Meeting began at 9: 39am
2.	<b>Announcements</b>  <b>Gov. Commissioner:</b> I will like to make two announcements. Council lady Spanner has indicated that around 11 am she will take a brief moment for a medical appointment of which she shall return to the meeting.  The second one is for general public awareness this is the last meeting of the Deputy Registrar for the Island Council of Sint Eustatius.	
3.	<b>Setting of agenda</b>  <b>Gov. Commissioner:</b> Mr. van Putten I saw your hand I give you the floor.  <b>Councilman van Putten-</b> We would like to place an additional point on the agenda, which is the appointment and dismissal of government civil staff servants workers & the appointment and dismissal policy of government civil servants workers.  <b>Gov. Commissioner:</b> I understand the need for the island council to discuss this topic I will say that as government commissioners we will not discuss	



**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

personal matters in the public domain. But I will place it on the agenda. It will then become agenda point 9. We also discussed this in our meeting in the presidium I think it was the 25<sup>th</sup> of October when there are new topics on the agenda that we will make known through the registrar's office at least two days before. So I look to the floor of the council.

**Councilman Sneek:** Thank you madam Chairlady I suggest that Councilman van Putten explains the urgency of this point for me to make a decision.

**Council lady Spanner:** As you said we agreed that the points will be sent in before. Just adding an agenda point without the other members knowing what it is about is exactly why we mentioned we will give notice in advance so that we can be prepared.

**Gov. Commissioner:** You are correct, I think on two separate meetings in the presidium. You have the same recollection as I do. But we do have the support of the majority of the island council for it to be added. We will add it as agenda point 9.

**Councilman van Putten:** I was unaware of that and my leader forgot to mention it.

**Gov Commissioner:** The agreement was made for the efficiency of our meetings. Having said that the agenda point is added and the agenda continues. Number 8 is the revised ordinance court of the audit. Number 9 is the appointment dismissal of government civil servants. Number 10 is announcements of executive council & government commissioners & number 11 is closing. With this, the agenda is approved as amended.



**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

4.	<p><b>Ratification of the list of commitments and decisions the meeting of December 23<sup>rd</sup>, 2022</b></p> <p><b>Councilman Sneek:</b> Thank you madam chairlady. Informally I noticed that there was an email. The question was if the points that were discussed in that meeting while they were on the agenda were if there was a need to bring them back on the next island council to proceed with this meeting. I would like that it will be important to be officially noted in the minutes what the decision is of the island council.</p> <p><b>Gov. Commissioner:</b> I want to suggest to Mr. Sneek that we discuss this at the presidium. I think we did last time there was no follow-up to it, you are correct but I was of the assumption maybe I am wrong that the meeting was suspended and you all said hey this is not making any sense. But you are right that does not apply to all the agenda points. We will consider this. I am advised by the registrar that the email was circulating among the members of the island council about the previous agenda mentioned by councilman Sneek and only councilman Sneek responded that the need for the continuation of the agenda points.</p> <p><b>Councilman Sneek:</b> Thank you madam Chairlady I would like that to be mentioned in the minutes, in the minutes of the meeting of today and we have it officially documented and not in an informal email.</p> <p><b>Councilman Merkman:</b> I find this highly unusual that you have an email that is circulating and then you want to bring it into the island council. If an email was circulated and one person reacted then one person reacted. As it was said by the setting of the agenda if the members deemed it important they can put it on the agenda. I find it highly unusual to be bringing things from outside and then you want it noted inside the minutes.</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p><b>Gov. Commissioner:</b> I want to suggest that we move on with the meeting we have established an agenda for today and this topic will be addressed in terms of the points for the next presidium. As you stated Mr. Merkman the topics could have been placed on the agenda today however the agenda is already set.</p> <p><b>Councilman Sneek:</b> I think you don't understand what I am saying and Mr. Merkman neither. We have to approve an agenda with four points not being discussed so that is why I would like to have in the minutes that we agree that we don't discuss these 4 points. That is my point madam chairlady.</p> <p><b>Gov. Commissioner:</b> Sorry for any misrepresentation of what you may have intended.</p> <p><b>Councilman van Putten:</b> I also did respond to the email. The email referred to if you wanted to continue with those agenda points or if you have any new agenda points. So the two points that were added were points that my office sent to be added to the agenda besides the one that I added here today so I did respond. I agree with my colleague that the email was discussed outside.</p> <p><b>Councilman Merkman:</b> I would like to read the minutes the setting of the minutes from the last meeting. I would like to read one sentence out of that. Announces that all remaining agenda points will no longer be discussed &amp; wished the public a happy holiday.</p> <p><b>Gov. Commissioner:</b> That was my understanding as well. We will move on with everybody's permission.</p>	<p><b>Gov. Commissioner:</b> I would like to thank the members of the island council and we will decide on this in the next meeting of the presidium.</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

5.	<p><b>Ratification of list incoming documents</b></p> <p><b>Council lady Leerdam:</b> I am looking at a document on January 27 a letter to the island council regarding Re-surplus employees I haven't seen it.</p> <p><b>Gov. Commissioner:</b> That letter was sent to all members directly and copied to the registrar's office and I believe also that is one of the reasons why councilman van Putten has asked to put it on the agenda.</p> <p><b>Councilman van Putten:</b> Madam speaker with your permission I have not received the letter either. My decision to add this point is not linked to that.</p> <p><b>Gov. Commissioner:</b> It was sent to all members of the island council on January 27<sup>th</sup>.</p>	
6.	<p><b>The Executive Council meeting policy regarding the appointment of the supervisory board members to government-owned companies</b></p> <p><b>Gov. Commissioner:</b> This agenda point was added by Councilman Clyde van Putten.</p> <p><b>Councilman van Putten:</b> I add this point to the agenda in consultation with my colleagues. We believe that it is extremely necessary. I already have made several public statements with regards to how the government has been going about appointing members to a supervisory board. Every executive council reserves that right to be able to</p>	



**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>appoint members to serve at the pleasure of the government on these companies. Taking into consideration that these companies belong to the people and the government represents the people. I am must be on the record for saying if there are nationals living on other islands and they are willing to contribute then I am not opposed to this. But there must be some form of connection as far as the island is concerned and I am being very critical publicly with the most recent appointment of two of the supervisory members who live in Sint Maarten. Also, we see at the board of the STUCO there are five members on that board, four of the five we don't know them. I think two of them were appointed in the Netherlands.</p> <ul style="list-style-type: none"><li>- Is this a requirement is this a demand from the national government in holland that all supervisory boards established on the island they must have people representing the ministry or the national government in Holland?</li></ul> <p>But as far as the members of STUCO are concerned I am not aware of the members. The sad thing is one individual locally is appointed.</p> <p>In the case of STUCO none of them as far as I am concerned apart from the young lady that was appointed there locally have no connections here. They are on the board we don't know who they are. The same thing can be said for the Queen Beatrix Medical Center. The statement of the person in charge they were negative of the functioning of the hospital. They were very clear that the management of the director of the hospital is a stumbling block in terms of progress and development.</p> <ul style="list-style-type: none"><li>- What are the requirements and policies of your government with regards to persons being put on the board?</li><li>- I would like to know if persons being appointed from the Netherlands Holland is a requirement of the national government</li></ul>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

	<p>to have one or more of their people on these boards?</p> <ul style="list-style-type: none"><li>- I also want to know the policy in terms of persons being put on the board.</li></ul> <p>We have seen in recent times that persons are being appointed from the Netherlands that is not the case as far as I know on the other island except they choose to do it. Because other islands have members appointed seeing that they chose to.</p> <ul style="list-style-type: none"><li>- I would also like to know the policy in terms of the stipend of remuneration of the board?</li></ul> <p>Because I also understood that with the appointments of these two Statians that they wanted more money to be members of the supervisory board. I understood on the side of the government commissioner that she was also pushing to increase the stipend of these members.</p> <ul style="list-style-type: none"><li>- So I would like to know the current stipend and if it is true that there was an attempt on the government to move the stipend from what it is at this point and time to increase it?</li><li>- So we want to know what it is now and what the other two proposals would be to increase it?</li><li>- Also, we would like to know from the government about having people with financial, legal &amp; administrative backgrounds.</li><li>- We would want to hear from the government if their policies are visible and transparent that the community of Statia can see when appointing these members.</li><li>- We also would like to know from the government with regards to the appointment of civil servants to be able to serve on these boards.</li></ul> <p>We know in the past that commissioners by the office were not able to be chairman of these boards</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>any longer. But there was also a policy in place previously that active civil servants should not be members of supervisory boards. As far as I am concerned there may be one or more government civil servants with contracts.</p> <ul style="list-style-type: none"><li>- We would like to know if the government policy is for certain people yes or no?</li></ul> <p>Also, the policy with regards to replacing members of the constitution is very clear when we appointed the supervisory board, especially the one from the national telephone company we were very clear, we look for people with different expertise in different areas and if my memory serves me right there was a possibility that these members could get a new term but we took note of the decision of the government to replace at least three of the five members of the telephone board there was no advertisement policy so</p> <p>I want to know from the government how they go about selecting these people apart from the profile.</p> <ul style="list-style-type: none"><li>- Is there an advertisement put in the paper where people can react?</li></ul> <p>Also for years, we know that these companies were owned by the government that they were no dividend policy in place.</p> <ul style="list-style-type: none"><li>- We would like to know if there was a dividend policy and when last did the government get monies or when monies were posed to these companies if this was deducted from dividends that should come from the government. We know that government owns companies for services given we would have to pay them we would like to know if there is an arrangement in place.</li></ul> <p><b>Council lady Leerdam:</b> My colleague already said a mouthful I have to make two more comments one I already made that we discussed briefly within the presidium but it goes back to the role of the island council as they are the</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>shareholders and the government commissioners are the representative for the shareholders. The question that I have goes beyond the decisions of the board and government owns companies.</p> <ul style="list-style-type: none"><li>- What role does the island council play?</li><li>- What is the role of the government commissioner in this, in a normal functioning democracy?</li></ul> <p>The governor is the one who holds this position but</p> <ul style="list-style-type: none"><li>- What is the role of the island council do we just outsource it and then sit back and see the results come in or do we play an active role in saying how we would like to see the boards set up?</li></ul> <p>The persons who are nominated to the board do we have to agree to that or is it just only the sole prerogative of the government representative shareholder. I believe this was looked into I believe the results were received but I think it is very important going forward that we receive that information. So the island council being the one who is supposed to be over these government entities indirectly we have this type of say because it's a government own company and the last comment I have going forward when my colleague mentioned the different boards.</p> <ul style="list-style-type: none"><li>- We have more boards also in the community and I would like to know if there is a policy on how these boards are established.</li></ul> <p>When I look at some of the boards, for example, the housing foundation board and I look at the different persons on that board I wonder how that board was chosen. Was there a profile? I knew there were advertisements but when I look at the areas of expertise within that board? Then I start to question that you're using one measure stick for one board and then the other board can do what they want. But all these boards individually have a very important role. Whether it's STUCO or the Housing Foundation each plays a very vital role in</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>the progress of the island so therefore each board should be treated the same. When the board was chosen in 2015 /2016 when it was finally appointed by your predecessors there were functions there for the community, accounting, social everyone had a specific background but what I am seeing now is that is not the case.</p> <ul style="list-style-type: none"><li>- Is there policy going forward or is there a policy in place right now when choosing board members?</li></ul> <p>I will not repeat what my colleague said because I believe he said it very eloquently and I will await the answers.</p> <p><b>Councilman Sneek:</b> I do not question the qualifications or the nationality or whatever both members are coming from the government's own companies although I believe they all have Dutch nationality. I notice that the choice that is being made is much are much better than in the past. I see that people with various qualifications are on the board which is not dated by law. Personally, of course, Mr. van Putten wants his own and I want our own too but it needs to be available and I find pointing out certain names not knowing the background or status he shouldn't point out any names, and secondly, you don't know the background of the reason is that things are happening this way, the way it should and I told you that already that the problem boils down to transparency. I have to admit with the other side we are the representatives of the people the government-owned companies belong to the people and we represent them and you are the shareholder representative. This gives you certain responsibilities and authority to do things on our behalf. What I notice however is that there is no transparency we don't need to read in the newspaper that a new board of EUTEL has been appointed or a new board of STUCO. We should have known this information upfront from the start. I think it is your responsibility to appoint</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>those people not that of the island council. You do that on our behalf like you do everything on our behalf. There should also be an open application process that is also adding to the transparency especially when it is a government-owned company where everybody can apply and chose the right people to go in the right place. I know that in some instances it happens with the healthcare foundation board it was an open solicitation and also with the housing foundation it was an open solicitation application. It needs to be across the board be transparent to know what it's going on and how it is going on and do it in public.</p> <p><b>Councilman Merkman:</b> I find that life is short and we have to do things right and the only way we can do things right is if everybody is involved. I hate to have to admit that I agree with what councilman Sneek is saying and bringing this point here it should have been done already. We have many foundations on Statia. When I get burned I don't know who to address and that is why I find it an issue. Councilman Sneek said we are the shareholders of the people's patronage. When we were in holland last we had a meeting with VWS and a complaint was addressed by one of the island Council members, we learn because the island council members addressed the Minister responsible for healthcare ZVK said once you go to the minister we can't do anything. If you want to solve a problem address the problem and when the minister comes with whatever questions you can say you addressed the problem it is already solved. This is the reason why we are here this morning because lack of information and knowledge about who is on these boards where you can go with information to get his complaints launched at the correct place. I also find that people from Statia should be allowed to serve on these boards we have many civil servants that have served on Statia have served Statia in high capacity or persons that are working in the public</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>sector we had some choices that could have been made that were not made. You have politicians that have served that have a lot of experience with working in the foundation. In years past there has been a cooperative governance pool. I think information should be forthcoming towards the island council.</p> <p><b>Council lady Spanner:</b> The appointment of the government-owned boards since 2003 the board is appointed based on the statute of each company the amount of time spent on the board the amount that stays on the board for continuation. The topic today is very important as the role of a supervisory board member is very important role guidance in filling these posts or appointing board members can be found in the laws regarding good cooperate governance.</p> <p><b>Gov. Commissioner:</b> Thank you, members, of the island council that was the first round I will go over the policies and statutes that are outlined by several of the board members. The appointments are per the statutes and the supervisory board we know has a period in all the boards I believe EUTEL is 5 years and STUCO I also think it is 5 years. One of the important things is that you look at the statutes of what we call articles of incorporation as well as the cooperate governance code. You also mentioned councilman van Putten that there was a period that I think the council had to go through a drill by the kingdom representative it is so there is no role for the kingdom representative at this time in this situation. The company has an accountant. I want to share with you that all the companies have an accountant but again as you stated, you know the drill just as well as I do but there are various competencies, and the whole discussion surrounding who is from here or not from here is quite concerning to me. Because always when you look for people to fill these positions you look to see that you can find the best</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>possible candidates in line with what the company is doing at the moment. You will see now that with the current board because of the situation that all board members for instance from the local company were appointed at the same time you do a rotation schedule because there was no rotation schedule because they were all appointed at the same time. Now you have a board with 3 residents on Statia and 2 residents on Sint Maarten. I want to assure the community that the 2 residents on Sint Maarten looking at their background the profile speaks for itself very competent members one is a born Statian. The mentioned of STUCO having board members in the Netherlands our companies are growing to a level where they are no longer little companies. These cooperate organizations and I am not suggesting in any way Mr. van Putten that there is no one on Statia because that is to the contrary I would never say that. I always do my utmost to look at who we can find here. I want to say that I agree with you that it has not been done broad enough but it has to be done broad enough sometimes circumstances do not always allow it but I do agree with all of you in the statement that in the cooperate governance way of appointing we should move more towards the advertisement and then people can apply it has happened on two occasions and it is a direction we should go towards. I know that on curacao there is an agency in place that is in charge for all government companies and I think for the government. I think that would be the direction that we can go into as Sint Eustatius. The point that you made that you didn't come to the meeting everybody makes their choices based on their conviction but I can tell you that being in the Netherlands or on Sint Maarten or wherever doesn't impede persons from contributing to the work of these boards which is a supervisory role which is a strategic role, a policy role in support of the program and strategies for the company so it does not impede that you look for a certain level of experience and expertise and I</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>must say that on both boards especially now that you have a lot of direct contact with the Netherlands. The ministries are subsidizing the expertise that is required is very important in support of your director and we see strides that are being there on all the organizations. You are saying you are not aware of the members of the hospital board the hospital board is not a board where the government per se has jurisdiction over, that is a separate foundation. When it comes to the housing foundation which is subsidized by the government and several other organizations I think several of you I remember well councilman Sneek, councilman Merkman raised here in this hall you as well, the state of the organizations that are subsidized by the local government. I my self-explained here in this hall that I have reason to be concerned and recommend that cooperate governance workshops are held. We saw so far that a few of them has done it. I also discuss with the incoming board of the local telephone company because STUCO has done it and I have discussed with the board that is there now that they made that a matter of urgency and I can say to you that in 2021 when the issues were raised about the boards on different fronts that is where I said in the agreement for the different subsidies we would put it. But most of these courses cost four thousand dollars (\$4000,-) and you cannot demand them to take it out of their funding. So the director of the social domain is availing a fun because we see that this is very important going forward for the optimal functioning for the government-owned companies. With regards to the stipend, it is nothing new the current board that just was phased out with 2 members remaining for the continuation that board was the lowest-paid board in the history of the telephone company based on the decision I believed in 2013 the stipend was a drop from \$900 to \$350 it I recorded in the files it was dropped and I could not read was the motivation was for the drop but it has declined to \$350 for the chair and</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>secretary and I think \$300 for the other members. There are also other benefits depending on the board you sit on. Mr. van Putten point of clarification</p> <p><b>Councilman van Putten:</b> You said that the outgoing board is phasing out that is not true. The first supervisory board of the telephone company on Statia was formed in 1999. The chairman &amp; secretary was getting NAF 350,- in those days and the other members were getting NAF 300,- so it could never be that it was the first time in history because back then we weren't speaking about dollars we were talking about guilders and I know because I was there.</p> <p><b>Gov. Commissioner:</b> That is correct you were the first chairman of the board. Thank you for the clarification dating that way back. But I come into the 2010 and onward, the current board is the less compensated board and it is indeed so that in discussion with an accountant I requested that the accountant to propose if there is a possibility for an increase the accountant look into the matter and there will be made a proposal for an increase based on what the company can afford. No suggestion of an amount but to consider the possibility of increasing the stipend for the board.</p> <p>I don't know by heart what the stipend is for the utility company. The medical center board as I explained to you I think was well known to the public as far as I recall they had an advertisement in the press about the appointment of the new board. Going over the same points the residents and looking at the progress. I am not really here to discuss the medical board but the chairman as you say is a medical doctor the other gentleman in the Netherlands has a vast background in medical management and then we have three residents on Statia which is different than no other time. They may not all be born in Statia but one is a Statian that contributed and continue to contribute living</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>abroad. Still working on Statia we have a resident who has purchased a home here and live here as other board members on other companies and we have a civil servant. You raised this question before right here in the island council. It is so that when you look at the cooperate governance code it said no active politicians. It also says no civil servants but only in exceptional cases based on the level of expertise that a civil servant can be considered for participation in a supervisory board. You mentioned several persons that would have been seated on the board. In the past, it is so that you sit on these boards for a period and then you leave after two years. For example, a chairman and a secretary can be reappointed. In this case, I intended to do an advertisement which was never done before with this board, especially the telephone company but I also want to recognize the period in which it took place that we had to go over to the appointment of the candidates. I tried to be as detailed as possible in terms of the recruitment and looking at the profiles that will be required but also looking at the competencies of these persons. Important to note is that there will be two additional members that will be recruited for April. I intend to go over in doing it that way, but this was at the end of December a pressing time but it is nothing out of the ordinary considering when we do this in April coming for two new members. I want you to know that I share your concern about the membership and representation here on the island. I will also see to it that the two additional members are residents on Statia of course waiting to comply with the profile that will be shared for those two vacancies. Currently, it is not a requirement but right in the interest of transparency, we need to move in that direction more than is currently the case. Members of the island council I apologize for not notifying you before publishing the positions of the board as it is we can do that here in the public domain. Zoom is there available when it regards who is</p>	<p><b>Gov. Commissioner:</b> I will also see to it that the two additional members are residents on Statia of course waiting to comply with the profile that will be shared for those two vacancies.</p> <p><b>Gov. Commissioner:</b> With regards to your question on dividend policy, I want to get back to you on that because I do not know the answer.</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>here and not here on the island I think we need to move beyond that point. Covid has thought us that the online platform is just as efficient. Ms. Leerdam the role of the island council you have asked this before and I made sure that I researched it. One of the questions that you raised in the presidium. I received some legal advice on this. In principle, you will not find a shareholder of a company in the articles of incorporation in this case it is. This you will find in the shareholder register in Statia case you will find it in articles of incorporation in the government-owned companies as rightly stated by councilman van Putten these articles go way back to 1999. So we are 22 years further and I think it may be necessary to revisit and modernize the articles of incorporation. The companies that we owned the shareholder being Statia government they are operating under the premises whether is STUCO or the telephone company there are government-owned companies that's holds 100% share you are aware of that already. Then the public entity is the shareholder, not the island governor not the executive council, or the island council but within the public entity, Sint Eustatius is the shareholder. In the shareholder meetings and the statute the island governor and this case, now the government commissioner represents the shareholder. There is a reason why it is done that way. I have spoken to several legal minds that is minimize the political involvement as much as possible that is the motivation behind the way it is organized. Ms. Leerdam point of clarification.</p> <p><b>Council lady Leerdam:</b> Thank you madam chair for that information can I receive that in writing as well.</p> <p><b>Gov. Commissioner:</b> I will go over the points that you made about the shareholder. There is no active role for the island council in the government-owned companies but as mentioned by Mr. Sneek</p>	<p><b>Gov. Commissioner:</b> I will share the information with you.</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>and Mr. Merkmán there should be a lot more sharing of information with the members of the island council. I would like to state though that there was a suggestion made that the island council can demand a statutory body to show up here we need to be very careful with that because for that very reason these organizations are set up this way. I do recognize the position of the island council and that is because one of the points that need urgent attention is again the communication companies in terms of where they are. This is a point that I discussed with both the CEO of the two companies that are owned by the government and I think those of you that attended the meeting last week Friday. As we know STUCO is currently recruiting an agency that will do the communication for them. I do share your opinion that these companies not only share services but also you share strategy and policy so you can speak more with the community, because when you speak more directly with the community. The community would have to come to you to ask questions about the issue that was raised about complaints. I don't think it is necessary that any member of the community has to go to the supervisory board to complain about an issue. All companies have a way that you can complain but it is good that this is advertised and explained to the community and then the community can know where to go with its complaint. But of course in any complaints process if you don't get the answers you have been looking for you should be able to have another level where you can take your complaints. There I need to mention the corporate governance training for these organizations. Mr. Sneek, you said it already and you said it again. You do not question the quality, the choice and we try to step up the qualities of the board to make sure that they can live up to the work that is before the supervisory board now. The transparency issue I take note of that of the two others I should have at least sent you an email and you should have not</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>read it in the newspaper I agree with you that there should be an application process across the board and therefore this is something as an island on a whole we need to work towards. We see small steps have already been made by several of the companies and a number of the organizations will also need to probably renew their articles of incorporation. We speak of companies I think EUTEL in 1999 and STUCO is about 2014 /2015. There would be organizations that would be subsidized by the government that has a longer existence of Statutes that are very likely outdated at this point and time. People of Statia should be able to serve on this board and in this case, we try to do this as much as possible. You mentioned the supervisory board of STUCO there is a person locally on the board who is then the representative of the clients so that the clients can find their way to this person with whatever issues they may have that will need to be brought to the attention of the supervisory board. We have members on our board now that are there but these members are advertised in the papers everyone knows who they are, they should also be able to go to these individuals if they have any concerns as a client. But again it is not about going to the person the supervisory board. The organization must have a complaint and a response procedure. Council lady spanner – statutes of incorporation you spoke about it. I believe they should be for a period of time and they should be reviewed it is indeed the task of the shareholder to appoint. You look at the background you look at the knowledge and expertise and the overall objective is always to focus on the interest of the island. I don't believe that the interest of the island is only served based on being from here but we can find ways to and I have done that consistently. I know the sentiments of the island the politics you try to find Statians broad as well who can and are willing to give something back to the island.</p>	
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<p><b>Council lady Leerdam:</b> I am looking forward to seeing those articles because when I do some research that is why I ask the question then in presidium and here again it is because we are seeing the direction of how some of the companies are going and as a shareholder, you have rights and the number of percentages that we have we have a rights to determine in which direction we want to see it. So if the island council gives the whole feedback to the governor in this case the government commissioner and we do not agree with the direction that the company is going. Then I am asking who is the ones that are being represented. Who is representing the people in that term? I believe that there is a more active role for the island council members indirect role where we can have a say when there is shareholders meeting for the year you have a whole discussion of I guess what the direction is for the year where we can give our input. Because if there is a direction that we feel is not going to be a good idea as a shareholder we should be able to have some kind of input in that. This is part of what we spoke about in terms of STUCO rates we had questions about those different things in terms of the development. I want to state again for the record that the island council should know about these things.</p> <p><b>Councilman Sneek:</b> I think the government should stay far from issues of non-government organizations if the NGOs are getting subsidies from the government then, of course, you can put your conditions but otherwise you should stay far from it because there is no government involvement.</p> <p><b>Councilman Merkman:</b> Point of clarification, I tend to agree with the councilman but I don't think it is about internal measures because it was made clear by pretty much most speakers it is not that you would want to be able to intervene or</p>	
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CARIBISCH NEDERLAND**

<p>whatever. The problem we are discussing here is information more so by an NGO because it is being subsidized by the government.</p> <p><b>Councilman Sneek:</b> We are saying the same thing if we are giving subsidies we have the right to set conditions. My request to the government is for all the organizations that you are shareholder o part shareholder please supply the island council with a list of those entities and the names that are appointed on behalf of the public entity on those boards and when these terms are expiring. The supervisory board members of the medical foundation are responsible if someone dies by the fault of the entity they can be held liable for that. We are talking about millions of dollars do they have liability insurance? the meeting we had at STUCO I requested the articles of incorporation I also requested the statement and I believe the entire council has the right to have those documents not only from STUCO but also from the other government-owned entities. They also need to be included in the government accountant reports they can't even get an accountant positive account declaration if these documents are not in place. Please can you also provide this to the island council?</p> <p><b>Councilman van Putten:</b> I will hold you to the letter of what the current rates are in terms of the subsidies for the supervisory board of the telephone company what it is at this point and time and what are the suggestions. I would like to get a breakdown on that on why you feel the monies should be improved. We would like to know all the boards and the persons on them and the profile that was set.</p> <p><b>Councilman Merkman:</b> this is my message to the island council members, government commissioners, and supervisory board members CEO of foundations &amp; NGOs. the interest of the</p>	
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CARIBISCH NEDERLAND**

	<p>community of Statia should be paramount and whatever we do or say we should always remain and place in a position where we are always doing right for Statia on the whole. The only way we can do that is by giving everyone their due respect and providing transparency where it is needed If you provide transparency to the Island council it is automatically extended to the people of Statia also. I think that is a culture that we need to create:</p> <p><b>Gov. Commissioner:</b> There were several requests made that I will work to comply and the list will be sent to me. I would like to say to the island council and any other body to also note that while you request transparency you cannot sit on these seats of corporations so that must be said. Based on the 2<sup>nd</sup> round which commitments were made in the 1<sup>st</sup> round and I repeat those commitments within the framework within the discussion that we are having. With that, I want to move on to the next agenda point.</p>	
7.	<p><b>All federal owned Government properties on Sint Eustatius that was owned by the former Netherlands Antilles</b></p> <p><b>Councilman van Putten:</b> Is there any commitment with regards to the foundation in holland to rebuild the godet house and at what cost and how soon it will be done? I will like to hear from your government as to the amount of properties building assets that are on the island of Statia and owned by the former Netherlands Antilles can we be provided by a list? what is the vision of your administration in having these properties being returned to the island of Sint-Eustatius. What are we paying to this foundation on an annual basis for all the properties whether they are used for offices or whatever circumstances they may be used what is the total value of all these assets &amp; properties from the</p>	



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	<p>former Netherlands Antilles? It was said in the past that there was some agreement signed by the former commissioner responsible for government buildings Carlyle Tarr and one of the ministers or junior ministers is this the case if it is the case can we be supplied with a copy of that letter. The letter was about the same ownership of the buildings and how we move forward with them because the maintenance was also a factor I understood a document was signed in the past I am not sure if it is correct but if so could the government that so that we can be provided with a copy that letter. I also would like to know from the government of Sint Eustatius as to what they believe. Who are the owners of these lands? are the people of Sint Eustatius owners of the land where a number of the buildings are inhabited or is the Dutch government is the owner of these lands? if the land belongs to us how much are we being paid on an annual basis? I would like a total amount of cost to all these properties? what would your administration do to ensure that these properties be returned to the island as soon as possible? it was also said that this body would have formed a foundation would have been formed the monument foundation it would have been joint was this ever established ? and if it was established what is the amount members that on the supervisory board and how much Statia have and who are the representatives in such a foundation on the part of the island Statia. It was mentioned that they can repair the properties and they could decide for sale or market value what is the position of your government with regards to this express intention on the part of Dutch municipality foundation. What is the cost of the maintenance of these buildings? will the Godet house be rebuilt and what will be the cost? What is the status of this long-awaited government administrative building would we get this during your administration?</p>	
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CARIBISCH NEDERLAND**

<p><b>Council lady Leerdam:</b> The motion I will present in the 2<sup>nd</sup> round. How many buildings owned by the Rijks right now are being utilized as government offices? I will also like to know the plan once the government office is built and these buildings become vacant what are the plans for these buildings?</p> <p><b>Councilman Sneek:</b> I am a real estate agent and I have a little bit of experience in real estate for clarity if you go to the cadaster and you go with see who owns what you will only see land you won't see buildings when you want the building you need to buy the land. If this building belongs to the government of the Netherlands then the land belongs to the government of the Netherlands. Rijksvastgoed bedrijf is a real estate agent is not a foundation it is a government entity a department that is responsible for the management of all the properties that belong to the state. I think Mr. van Putten mentioned boedelscheiding this arranges what went to which entity and the properties that are now owned by the Dutch government are part of that boedelscheiding I googled it is a long document of what went to who. I ask some written questions some time ago about the Godet house the answers were not satisfactory for sure because the main gist of the answers was that demolishing was the responsibility of the Rijks government because they are the owners but in the meantime, our government permits to demolish the building. This building was in a poor state and is owned by the national government office since 2015, well actually from the time the island Netherlands Antilles was dismantled since 10- 10 -10 since then that building hasn't received any maintenance I feel the fire was caused by lack of maintenance. Not one government building is insured. BZK did not maintain their property and you can blame them for the fire. There is no insurance for any of the government-owned buildings. The buildings are there for two years this is not a good sign for a</p>	
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CARIBISCH NEDERLAND**

<p>property that you owned. Now they received the demolishing permit, but what I am disappointed in is that the demolishing permit did not have the obligation in it to rebuild it by Rijksvastgoedbedrijf the building has to be rebuilt by a future owner. There are more properties like that on the island.</p> <ul style="list-style-type: none"><li>- I am wondering who is going to do that?</li><li>- What is the status of the covenant?</li></ul> <p>There is land being bought for an extreme amount of money and lying there doing nothing. But in that covenant and we brought it up the first time we found out it is stated that our government which Ms. Francis was part of it at the time agreed that the national government is selling amongst another Fort Oranje the Guesthouse and other properties and is in that covenant. We objected against it and we heard nothing about it after that at all. There are also conclusions going on about the excavations which are cultural heritage. So those buildings are also cultural heritage. I also agreed to support this motion because I feel it is totally out of order what is going on right now. Also, I would like to know the status of our new administration building.</p> <p><b>Councilman Merkman:</b> With the information that was passed in the council I am shocked and this warrants a deeper look because if it is in a deed and the island government signed off on that. This is a problem. I was in the council at that time in 2015 and I have no recollection of that ever coming to the council of signing over the property to the federal government. Based on the information I heard I do agree.</p> <ul style="list-style-type: none"><li>- I would like to know what the role of the cadaster was in this?</li></ul> <p>I think answers have to be provided this should be the last time this comes before us next time we have a meeting whether it is central committee information should be provided. also about the agenda point of the government buildings around</p>	
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CARIBISCH NEDERLAND**

<p>here, I do believe that if you are going to break down something you have to put it back in place. Now you will have an open spot in our historical core where we are trying to promote tourism in our historical core.</p> <ul style="list-style-type: none"><li>- I would like to know about this funny thing and I am placing it at the government commissioner's door and as chairman of the central committee, I am willing to pick it up also in the central committee.</li></ul> <p><b>Gov commissioner:</b> Thank you members of the island council we have completed the first round with all present members giving their feedback and observations on all important topics regarding all federal government-owned properties on Sint-Eustatius that was owned by the former Netherlands Antilles.</p> <p>The meeting will be adjourned for 1 hour and we will resume at 1:15 pm</p> <p><b>Gov commissioner:</b> I start right away with the points that were brought forward by Councilman Clyde van Putten as the person who initiated the agenda point. I think some of the questions are overlapping then where they are specific questions I will attend to answer and those that are in common I will answer collectively. The general question is about government-owned companies I want to thank Councilman Sneek for his extensive research because we had the list but I think councilman Sneek went a little further down to the measurement of these properties and in a general sense the information that was shared by councilman Sneek.</p> <p><b>Councilman Sneek:</b> Point of clarification I would like to clarify one of my statements. I question the role of the then island governor if you studied the document more in-depth you see there is a whole long explanation through mandates and</p>	<p><b>Gov. Commissioner:</b> I will say for the general consumption if the discrepancies that were mentioned in the registration the cadaster, as well as the document from the notary I will venture to say this, will require some investigation and where possible correction.</p>
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<p>Staatscourant which mandates the OLE public entity of Statia to handle the transfer on behalf of the state. Since the island governor like you are the representative of the public entity he acted in that capacity that was a misconception I will like to correct that but all the rest I stand by.</p> <p><b>Gov commissioner:</b> Councilman Sneek I thank u very much for that correction and I think that is a good thing to do. All the questions regarding the demolition councilman Sneek I take that you would have taken a different decision in terms of the demolition you would have decided with a mandate to rebuild right away. I took a different decision I feel is covered in the spatial development plan. Because the spatial development plan of 2011 gives a lot of protection for our monuments and that was one of the reasons we didn't attach any conditions but I take note of your position on this particular monument. It is considered a dynamic document and on page 9 chapter 3 the principles of the special development plan say that the central team of the spatial development plan protects the values of qualities and unique characters of Sint Eustatius this concentrates on landscapes nature covering nature flora and fauna marine park identity and culture heritage. It talks about planning and requiring permission and certain works talk about planning. Planning. In that sense, planning permission differs from a building permit. A building permit is required at all times when planning permission is required if so determine for special development. This may not answer your difference of opinion on the approach that we took to grant the permission but it also in this document keeps repeating several procedures that must take place if dwellings need to be rebuilt and if there is a demand for variants from the spatial development plan after a mandatory period of 15 days the variants will follow a public inspection with the opportunity to submit appeals. I think the spatial development</p>	
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CARIBISCH NEDERLAND**

<p>plan gives a lot of protection, especially for the city center of Oranjestad it specifically addresses the city center in two areas. It has the city center which covers the residential area which is zone as zone 1 provides for good planning regulation for the present residential areas around the center of Oranjestad. The policy for the historical area which is zone residential area 1 aims at maintaining and restoring its present values. Which are values you all spoke about the policy covered by the area being doubles zone residential area also a value of urban conservation area this date back to 2011. The director of Economy Nature and Infrastructure is currently preparing a new spatial development plan. At a later stage, we hope to be able this year to be presented this year to the central committee of the island council. Councilman van Putten you asked about the vision and the value I think it should be no misinterpretation we all hold the same values when it comes to the culture the heritage of our island. One of the challenges we face though even though we hold on to our cultural values. As an island, we continue to face the challenges of the actual implementation of these cultural values and putting the right instruments in place to protect them in the way that they ought to be protected. One of the concerns that I share when we look back to 2018 we had a private dwelling that was burnt in Oranjestad the lopes property family house. In September 2019 I think it was the old schoolroom that was the brunt down. The issues of maintenance whether they are owned by the government or not is a serious matter of concern. There is a new monument ordinance we have the preparation on going for recruiting the members of the monument foundation I have spoken to high-level Statians and Statia residents who have indicated a willingness to join the monument foundation we know that this organization has been defunct for several years this is the organization that should be the watchdog for what</p>	<p><b>Gov. Commissioner:</b> Which are values you all spoke about the policy covered by the area being doubles zone residential area also a value of urban conservation area this date back to 2011. The director of Economy Nature and Infrastructure is currently preparing a new spatial development plan. At a later stage, we hope to be able this year to be presented this year to the central committee of the island council.</p>
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CARIBISCH NEDERLAND**

<p>happens in terms of the monument on our islands. I would like to state my concerns is not just the monuments or buildings that are owned by the federal government but also those that are owned by the community and government and others in the community as much as I fully understand the need to acquire the properties that are in current ownership of the federal government it is important that across the board when it comes to monuments in this historic core. The majority of the buildings that we are speaking about are owned by the federal government and are situated here in Oranjestad and the majority of them are also monuments so that is one of the actions that will be taken as mentioned by councilman Sneek I think you to councilman van Putten you all mentioned the recent research we had done there it exposed that a number of our organizations on the island are not working well together in the domain of history culture and heritage and that is something that the culture department has been trying to foster for the last two years that I know. I want to share with you also that for two years now the culture department is on the table with several Stakeholders at the level of the ministry of culture and science. In light of the Statia research commission and the recommendations, that Statia should have its own cultural heritage office I think that this is what the function is called there are several recommendations I believe should be taken seriously and that will be our response to the committee in a formal letter we hope to send out tomorrow or Monday that we do believe all these recommendations should be implemented of course taking into a reality that some recommendations you can implement immediately and others will take some time. The vision is to look for an integrated approach and not a separate approach. The challenges that we face with the cultural heritage in particular of the monument on Statia here in the core of Oranjestad the problem is broader.</p>	
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<p>You refer to a letter by the former commissioner we will investigate what is on file on that. You got the answers from the councilman with the vast experience on real estate giving all of us good learning giving us the difference of ownership of the land versus the ownership of the dwelling. All the questions about the Rijkvastgoedbedrijf will be answered by the deputy for as much as she can answer those. Issues regarding the cost of the maintenance you said that you saw some people from the central government from the real estate agents who are doing the inventory but also looking at where the necessary renovation to the buildings needs to take place. The most recent renovations were in the public lavatories downstairs in your building here. You mentioned that you see we are renting more buildings that is the dilemma of Sint Eustatius that we do not have a central administration building. In the previous central committee meeting, 2021 the island secretary presented a preliminary proposal. The past year the civil servants mainly the directors have been working on the central administration building we hope that within 2 to 3 weeks it can be presented here to the central committee in a central committee meeting. Mr. Sneek you raise a very interesting point in the details of the obvious miss calculations in you know what is per square meters and you see what is on the cadastral document it is quite alarming and I think it is something worth investigating we will find out what has gone wrong there and what can be done to make these necessary corrections. As a public entity, we face the same challenges when it comes to purchasing a property you can barely purchase land in the case that we need it for the location. With regards to the collection of rent, we do not have a privilege with that information but you brought into light it is being used by the central government real estate agency together with the Post Office which is managed by Flamingo Communication these are matters that we can look into through or</p>	<p><b>Gov. Commissioner:</b> You refer to a letter by the former commissioner we will investigate what is on file on that.</p> <p><b>Gov. Commissioner:</b> The past year the civil servants mainly the directors have been working on the central administration building we hope that within 2 to 3 weeks it can be presented here to the central committee in a central committee meeting.</p> <p><b>Gov. Commissioner:</b> Mr. Sneek you raise a very interesting point in the details of the obvious miss calculations in you know what is per square meters and you see what is on the cadastral document it is quite alarming and I think it is something worth investigating we will find out what has gone wrong there and what can be done to make these necessary corrections.</p>
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<p>directorate of economy and infrastructure under which domain falls. So this discrepancy that councilman Sneek mentioned we will look into these with urgency including the police station that is on one location. The vogels house I think we can be transparent on that as to who owns the vogels house whether it was the central real estate agency. We are looking into this as well as we are privileged to some information in the last week. The covenant for the central administration building is still on the table as I mentioned we are making the final preparations with the civil servants. With regards to what are the specific needs of the space allocations, I hope that within 3 weeks we can present this to the central committee of Sint Eustatius. Your concern for the potential sale of the property being sold to the highest bidder is valuable as you want to make sure that your s public entity is in ownership of these properties. I do have a slightly different view when it pertains to properties. There is one thing about a monument that is protected in our spatial development plan but we need to make sure that what is in there is enforced. I also look at the fort that the fort is here and no one can't take it up or go with it.</p> <p><b>Dep. Gov. Commissioner:</b> I want to give some information on the questions about the COS building in 2021 you were briefly informed in the central committee about where we are in the COS building and I notice that with this island council it is good to provide you with detail information via the central committee. My proposal to the chairlady is to discuss a moment in the presidium more extended presentation of where we are, but for now, I will give you a summary. The plan for the COS building has been purchased by the government it was supported by the ministry of interior and kingdom relations on that and the finance. My proposal is we give a more detailed presentation to the central committee.</p>	<p><b>Gov. Commissioner:</b> So this discrepancy that councilman Sneek mentioned we will look into these with urgency including the police station that is on one location.</p> <p><b>Dep. Gov. Commissioner:</b> My proposal is we give a more detailed presentation to the central committee.</p>
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<p><b>Council lady Leerdam:</b> Point of clarification. I posed two questions and I didn't hear the answer. The first question was how many of the buildings that are owned by the Rijks are being used as offices and the other question I will come back in the second round with.</p> <p><b>Gov. Commissioner:</b> We do have a list of how many buildings. This building we are sitting in is being used as an office because it is the island council that is being seated here. What we called the former government mansion is a government building. The Fort Oranje where we have ENI and Transport sitting there. There is the SESNA it's called, the mall-medium enterprise office is there the post office is not an office that we are using. There is a piece of land between the police station that is not a historical building but you can consider it not used by the public entity but you can consider its use by government agencies. It's a public safety building. The other property between the former Mega-D Youth Foundation and the yellow house on the corner is leased by the housing foundation and is used as a dwelling. I think I would have covered all the buildings that are currently being used as government offices. There are several other historical buildings in the core that the public entity is using some belong to the public entity and others belong to private persons. The other question you had was what will happen to these buildings once the COS building is being built. When you look at the core and the demand to do business in the core I do not anticipate those buildings remaining empty. What I would like to see though and that is part of the integral approach and that is an assignment that can be given to the monument foundation is the integral approach. Restoring monuments is an expensive business. I also understand that there would have been provisions from a monument foundation on Sint Maarten that there should be</p>	
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CARIBISCH NEDERLAND**

<p>funds there where Saba and Statia could have benefitted from because we don't have a monument fund so that is something I would let the culture department go after to see what is there available now.</p> <p><b>Council lady Leerdam:</b> I will like to ask and get a commitment from the government commissioner that we round off how much we renting the buildings for that is what is the cost the government building the cost of this building so at least we indicate as to what to expect because I think will go retroactive to how much we have been using the building.</p> <p><b>Gov. Commissioner:</b> We will send you that information and it will also be taken up part in the presentation on the COS so you will have an idea overall of what we are paying now and when you transfer it where it can go towards. But you will get that information in that presentation.</p> <p><b>Council lady Leerdam:</b> I will read the motion now. Motion from the Progressive Labor party &amp; Mr. Sneek also supported the motion. Subject Retrieval of historical buildings on Sint Eustatius.</p> <p><b>Gov. Commissioner:</b> Yes I have received a motion here that is signed by all 4 council members of Sint. Eustatius.</p> <p><b>Councilman Sneek:</b> I would like to come back to the demolition permit. The government has its responsibility, especially the national government, and has to adhere to the spatial plan and they also have to give the right example and they don't contribute to further deterioration of our island, our Oranjestad historical core. I'm very disappointed that Rijksvastgoedbedrijf and BZK didn't take up the responsibility. You mentioned two pieces of advice I saw at least one of them, one from the monument foundation by Mr.</p>	<p><b>Gov. Commissioner:</b> We will send you that information and it will also be taken up part in the presentation on the COS so you will have an idea overall of what we are paying now and when you transfer it where it can go towards. But you will get that information in that presentation.</p>
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CARIBISCH NEDERLAND**

<p>Hellebrand, and it was strongly recommended that the building would be rebuilt. The other advice I heard about but I hear that the report echoed the same advice to have it rebuilt it's unfortunate and this advice has not been taken over.</p> <p><b>Gov. Commissioner:</b> That is why we will set a presentation in two to three weeks and we will set it up with the registrar's office.</p> <p><b>Councilman van Putten:</b> The amount of money we are paying currently for these buildings I am still a bit lost because at one point you were saying you weren't sure. There seem to be so many different groups here and there of how this money is transferred but in terms of the buildings and properties, I think the motion is very clear. As far as I know, these properties belong to the former Netherlands Antilles and not Holland. We must get back those properties, and give us a new Hospital and administration building. What is the situation now with monument foundation I understood that the former director is not here?</p> <ul style="list-style-type: none"><li>- I also ask a question about the joint monument foundation that they were talking about where these assets especially the historical buildings would have been formed. Was this ever formed?</li><li>- What is the status?</li><li>- Who represents us in it?</li><li>- How many members in the supervisory board how many did Statia appoint how many did the Dutch government appoint?</li><li>-</li></ul> <p><b>Councilman Merkman:</b> The only thing I was concerned about is what is the role of the cadaster in this whole affair?</p> <p><b>Gov. Commissioner:</b> Before I go over to the voting I just wanted to make one comment about the vague vision. Let's be real Mr. van Putten there has been no vision, we have a lot of things on</p>	<p><b>Gov. Commissioner:</b> That is why we will set a presentation in two to three weeks and we will set it up with the registrar's office</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>paper here on Statia a lot of things are written on paper but the execution, and that is why I state here today my commitment to culture and heritage is to have an integrated approach and not a spaced-out approach, it is not going to be Alida Francis who will do who will work with all the stakeholders to bring the right people together on the table so that we can safeguard our cultural heritage. I wanted to make that clear on the elucidation of a vague policy.</p> <p><b>Councilman van Putten:</b> When I was speaking about a vague policy I was speaking about the response. But since you are speaking about heritage the committee you instituted to look at the excavation does that committee have a broader agenda?</p> <p><b>Gov. Commissioner:</b> It was appointed specifically for that, but I do believe in the future as you go along and there are developments there is a level of expertise that you can once again make a call upon. I want to go over now to have the members of the island council formally express their vote so it can be recorded in the minutes.</p> <p><b>Council lady Leerdam:</b> For</p> <p><b>Councilman Sneek:</b> For</p> <p><b>Councilman van Putten:</b> I vote For</p> <p><b>Councilman Merkman:</b> For</p> <p><b>Gov. Commissioner:</b> This motion has been adopted and For Leerdam, Sneek, van Putten &amp; Merkman have carried this motion and the DP fraction is not present for the voting of the motion. It is carried. (Gavel)</p>	
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8	<p><b>Revised Ordinance Court of Audit</b></p> <p><b>Gov. Commissioner:</b> You requested this point as an island council and my question is will this be carried as a hamerstuk? We will pause for 5 to 10 minutes so the members of the island council can meet on this point.</p> <p><b>Gov. Commissioner:</b> I hereby resume our meeting members of the Island Council members are back and I also want to welcome back Ms. Adella Spanner. Will we have a general vote or discussion? Okay, we will have a hamerstuk. We have before us on the agenda the revised ordinance court of audit / Algemene RekenKamer Sint Eustatius this was already on the agenda from the 23<sup>rd</sup> of December and we are here now the members of the island council will now motivate their position on this revised ordinance.</p> <p><b>Councilman Merkman:</b> Before us, we have the revised ordinance as you indicated this ordinance was already passed but there were certain references to the compensation inside of it that did not reflect the weight of the work that the individuals would carry out for the island council therefore the council came together and deliberated on that and now they have a proposal in front of them that reflects what we are comfortable with. Notwithstanding, we all know this is tied with the legality that is being questioned by us as island council members but it shows that we still want the RekenKamer because we also are aware of the importance of this Rekenkamer for Statia so we want to have everything in place so when the time comes and we get a response back from the national government if that is going to come then we are in a position to immediately do what is necessary to have the Rekenkamer functioning and we do hope that we get some sign on the 23<sup>rd</sup> of February as was promised in the documentation that was</p>	
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CARIBISCH NEDERLAND**

received. It just refers to article 3 where there is a couple of changes about the amount that is going to be changed. That is my introduction and also giving some information on this document. I would like to thank the island council also for their contribution to this document and cooperation.

**Council lady Leerdam:** I would like to motivate my vote like Mr. Merkman said we had a stance we received a response and we are hoping for a positive response back after the 23<sup>rd</sup> once the debate is held in the Netherlands so For.

**Councilman Sneek:** For

**Councilman van Putten:** I think in the previous setting where the debated this issue I was not present I was being very skeptical about voting for these types of ordinances where local authorities I am speaking of those of us that were elected and we appointed people to serve in the cabinet but this regard, I have always said I am in favor of an audit chamber because I believe in any democracy you have to have that watchdog in place and so the amendment here in anticipation of a final decision from the Hague cause I put that as a condition to ultimately support it is to address the fees that eventually will be paid to members that have already been identified and so in this regard I would give the benefit of the doubt and support the increase of the fees or the necessary fees that these members will be receiving. But again I am saying I hope that we will get a clear signal from the Hague. because I am not going to vote for an ordinance when it is incomplete or exists so in anticipation of that I support the pending fee that these members will be paid. I hope that there is a clear signal from the Hague that it is legally documented and the island council can go in the direction of completing the process. I support the necessary fees and the adjustments to that effect



**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

	<p>that was put forward and the ordinance that was previously passed I do not support.</p> <p><b>Councilman Merkman:</b> For madam chair</p> <p><b>Council lady Spanner:</b> I vote for the revised version</p> <p><b>Gov. Commissioner:</b> I want to congratulate the island council on this achievement I hereby adopt this newly revised ordinance which is a very important instrument for the island council.</p>	
9	<p><b>Appoint /dismissal of government civil servants</b></p> <p><b>Gov. Commissioner:</b> Agenda point 9 was added to today by councilman Clyde van Putten and the agenda point is the appointment and dismissal of government civil servants.</p> <p><b>Councilman van Putten:</b> Thanks for the opportunity as far as this point in concern I believe it was necessary to take into consideration that a lot is happening. In the past, we have seen several persons have been appointed to the civil service we do not know in which form whether in consultants or contracts, or what are the requirements or qualifications.</p> <ul style="list-style-type: none"> <li>- Why is it that our local qualified people cannot get this type of opportunity to be in that type of position?</li> <li>- What will happen to the people that we send home?</li> <li>- What social benefits are there for them? What is the main reason that these cleaners have to go?</li> <li>- Are the people who are remaining enough to clean all the facilities or is it the intention of the government eventually to outsource this to a cleaning agency?</li> <li>- Give me the main reason why?</li> <li>- I would like for your council to explain to the island council in my extension the</li> </ul>	



**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

	<p>people what is the policy in the first place of your government with regards to the appointment of civil servants but especially where it pertains to local qualified Statians?</p> <ul style="list-style-type: none"><li>- How much was it costing the government with these 5 to 6 people that you are sending home?</li><li>- How much is it costing this government on an annual basis in terms of salaries and other commitments that the government may have for these workers including insurance and sick leaf benefits?</li><li>- What is the plan of the government to outsource the 5/6 areas that will be convocated as a result of the intention of the government to send them away?</li><li>- Is it the intention of this government to outsource it to a cleaning company?</li><li>- Is it the intention of the government to burden existing people who continue to clean?</li><li>- Also, I would like to know, we have a vacancy at GIS local was passed?</li><li>- I would like to hear from the government how they will defend this?</li></ul> <p><b>Council lady Leerdam:</b> I am disappointed in the term of events and with his agenda point we have today. I heard that the decision list that these positions will be outsourced to whatever uitzendbureaus there are on the island.</p> <ul style="list-style-type: none"><li>- Why are we trying to get rid of the personnel that we need?</li><li>- How much does it cost?</li><li>- Is it such a heavy burden that the island government has to get rid of it?</li><li>- What is the main reason for downsizing the cleaners?</li></ul> <p>With the reorganization that ex-commissioner Stegers and Franco government when they said that no one will be dismissed as a result of the</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>organization apparatus is this dismissal part of that reorganization or is this a separate process, we are dealing with right now?</p> <ul style="list-style-type: none"><li>- Can you give a breakdown of how many of the cleaners were there?</li><li>- I see there have 6 persons in the surplus but I don't know if all those 6 persons are cleaners.</li><li>- How many are left now also I would like to know-how is the policy for dismissal is?</li><li>- Is there a first-come last-out policy?</li><li>- What were the criteria for dismissal?</li><li>- What are the age groups of these persons that are leaving?</li><li>- How many staff do we have now at the GIS and what is the projected amount of staff needed to have the department functioning optimally?</li><li>- Is the position being filled by someone from the Netherlands in place of the other lady that left?</li><li>- Has the government considered minimizing the minimal financial impact for these workers (cleaners) who are earning barely above the minimum wage?</li><li>- As my colleague said the social welfare network is not enough to take them in what provisions are being made for that to combat that negative outcome?</li></ul> <p>We are steadily trying to run from poverty but I'm seeing more &amp; more we are getting into poverty and mostly we cannot see poverty on Statia. With all these increases we will start to physically see poverty on Statia.</p> <ul style="list-style-type: none"><li>- Are we looking into all these different aspects before we downsize 6 people?</li></ul> <p>The other questions that I have I will send to you in writing then I can have those answers in writing.</p> <p><b>Councilman Sneek:</b> I was not aware of this agenda point because it has been added to the</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>agenda only this morning. But I listened to my colleagues and I must admit I also get signals out of the organization about things that people believe are not correct. I would like to mention a few civil servants who are being paid for funds that are coming directly from the Netherlands and getting paid higher salaries than the highest civil servants with similar functions. I hope that you have an explanation for that. That redundancy trajectory I think has been done for 2 years already. We focus on cleaners because most of them are cleaners I know for sure there was a need to reorganize that. I understand that there was an extensive upgrading and training program and I understand also that quite a percentage of these people that the government tries to retrain are none retrainable which is of course terrible. I understand that a few were offered the retraining program and didn't take part or didn't show up so you always have 2 sides of a story. I guess you can explain that better than me but that doesn't mean that it is a sad situation. Also with regards to the application process, I have serious questions about that to again it all boils down to transparency you need to do these things openly. Also in the government apparatus, people are being hired without a proper application process.</p> <p><b>Councilman Merkman:</b> About this agenda point when the meeting was called with the surplus cleaners I attended that meeting I was surprised about several things that took place. One of them was that the invitation that was sent to the cleaners was sent a day before and that does not display good communication skills. I would like to motivate the cleaners to look at the steps to submit grievances and I would like to advise the cleaners to look at that carefully. I will monitor the situation from a close.</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p><b>Council lady Spanner:</b> Madam chair we received a letter from the 6 surplus employees on January 27<sup>th</sup></p> <ul style="list-style-type: none"><li>- Are the 6 of the amount surplus employees working for the government are all cleaners or working for other departments?</li><li>- Has any of these surplus cleaners have already been notified?</li><li>- Have they accepted the decision or are there any legal challenges to the decision are these workers nearing pension age are they younger people?</li><li>- Is it known if these persons are otherwise employed?</li><li>- What Is the average length of the possibility stand-by pay will be for these employees?</li><li>- Is the government following the same procedure as the former Netherlands Antilles or is this a new procedure?</li></ul> <p>I know the letter states that there is a stand-by pay in the former Netherlands Antilles would be for 4 years and keep dropping by percent is this the same procedure.</p> <p><b>Gov. Commissioner:</b> Thank you very much for the questions that were raised by the members of the island council regarding the surplus workers all questions that have a financial nature we will answer those in writing and we will not go into the personal question but we will give a broad outline of the reorganization process. The reorganization process started 2 ½ years ago. Responding to the question of Merkman, van Putten and Leerdam there were different opportunities within the organization that was offered. I want to explain there is a working relationship with new challenges foundation so that persons can take part in different pieces of training to upgrade themselves so that they could advance. Some made the opportunity of them optimally. Internal policy goes internally via the organization and persons</p>	<p><b>Gov. Commissioner:</b> Thank you very much for the questions that were raised by the members of the island council regarding the surplus workers all questions that have a financial nature we will answer those in writing.</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>can apply. You said a lot Mr. van Putten I think one of these days in the meeting I will present you with a list of locals that have been promoted and the locals that have been hired. I won't speak about the government information services in any way I agree with you department has grown by leaps and bounds and in the coming months, we will see further growth, and no there is not a Netherlander coming to the department.</p> <p><b>Councilman van Putten:</b> Point of clarification I would like you to provide this council a list with all the local people that are heading departments whether as directors or unit managers. Present a list of European people since your administration since the Dutch came in here up to this day that has been appointed versus the locals that have been appointed I would like to see it because we need to prove it.</p> <p><b>Gov. Commissioner:</b> The question that Mr. Sneek as about civil servants from the Netherlands and similar job function there are persons most of those who come in in the advertisement that is hired under local conditions and there are those who are hired on under a project bureau basis for a certain amount of time and when the projects are over those persons will leave.</p> <p><b>Councilman Sneek:</b> Point of clarification I say this more as a bit of advice. It causes friction and people get upset when someone in a similar position makes more money than you but I don't understand and I have to admit with van Putten those are European that are getting more money and no matter how you turn or twist it that causes friction and you have to be very careful with that.</p> <p><b>Dep. Gov. Commissioner:</b> For me, the discussion and questions are going about 2 topics and that is the policy of hiring people and conditions and transparency and processes of hiring and</p>	<p><b>Gov. Commissioner:</b> You said a lot Mr. van Putten I think one of these days in the meeting I will present you with a list of locals that have been promoted and the locals that have been hired.</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>reorganization with the 6 people. I think I want to suggest on the latest points that the island council received a letter on 27 of January with the explanation and we make one or to A4 with explanation with what we have done. In this case, it is a sensitive topic and it goes around private information and I think we should do that in confidential written reaction.</p> <p><b>Council lady Leerdam:</b> Point of clarification, I need some questions answered before I go into the second round of the first questions I asked previously.</p> <p><b>Councilman van Putten:</b> I need some of the questions answered also along with my party leader.</p> <p><b>Gov. Commissioner:</b> The government commissioner will not share people's salary information not even with the island council. The process offers them to protest in government and also the private sector as well.</p> <p><b>Dep. Gov Commissioner:</b> I wanted to suggest Mr. van Putten and you just took the mediation card and want to make suggestions of how to solve this. Ms. Leerdam said I want some questions answered here in this meeting. I think in this whole discussion it is about the hiring policy of the government, I think it is the responsibility of the government, we want to give clarity about it you said you want a list no names and no salary but we are going to make that list. But my suggestion is that we combine that also and that is positive mean with the percentage that the civil servants have followed the course. That will be provided to get the better completion to get educated because that is also the responsibility so I want to be transparent as portfolio holder we are going to give you the A4 with all the persons the vacancy they had the persons on the director's position who are local</p>	<p><b>Dep.Gov. Commissioner:</b> I think in this whole discussion it is about the hiring policy of the government, I think it is the responsibility of the government, we want to give clarity about it you said you want a list no names and no salary but we are going to make that list. But my suggestion is that we combine that also and that is positive mean with the percentage that the civil servants have followed the course. That will be provided to get the better completion to get educated because that is also the responsibility so I want to be transparent as portfolio</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>and the unit managers who are local we are going to provide that so that was my gesture to you to be transparent. What I also will do or we will do is that in this discussion there was also the statement that the local people don't get the opportunity to get better jobs. Sometimes indeed there are European Netherlanders who are getting all the jobs in my opinion in a temporary situation. But what you don't see and maybe that is a lack of transparency and that is the responsibility of the government is that in a couple of vacancies the last months we make agreements with locals to get in a development agreement to develop to a higher position. It is a personal agreement between the government and the commissioners and island secretary and the person how the person can develop to a higher functioning job. We are invested in it. I am not going to deny that European people are getting more money because in certain positions that happens. It would be wonderful if one of the ladies at finance would take the responsibility as the unit manager finance we are supporting them in education etc. after the meeting we had an evaluation about how the central committee went and this is inside information but I would like to share it with you. We are going to answer all the private and personal questions. Council lady you ask the question if this is about commissioner Franco &amp; Stegers with the same process yes this is the same process this process of reorganization started in 2019. The second question you asked is if it is being outsourced now as an executive council lady chair maybe you can answer that.</p> <p><b>Gov. Commissioner:</b> It is that outsourcing is an avenue that we are exploring.</p> <p><b>Council lady Leerdam:</b> Just to answer the deputy government commissioner, when the panic hit the streets the reorganization. It was told to the civil servants no one is going to lose their job and in</p>	<p>holder we are going to give you the A4 with all the persons the vacancy they had the persons on the director's position who are local and the unit managers who are local we are going to provide that so that was my gesture to you to be transparent.</p>
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

<p>terms of the second point now I find it is ironic that you're going to send home people to cut costs and then you're going to use a uitzendbureau to increase cost I am trying to understand. I would like to know what are the added benefits because I don't see any financial benefits in it in terms of its way much cheaper for these 5 persons because you said the other one is not a cleaner I would like to see that as well. As much as you can answer here let me know what is the financial benefits and the rest you can answer in writing. I would like to explain the financial difference between the persons that you have here and going through the route of using an uitzendbureau.</p> <p><b>Councilman Sneek:</b> I did not get a reaction on the point I raised which was 2 examples high ranking civil servants that were hired without proper application process again I say it one of the reasons the previous government was sent home was because those were the things they trampled with and it looks like you are doing the same. The Dutch European civil servants have 2 functions the same function here is local working here is a Dutch European working the function for the Dutch European is paid by Dutch monies or programs and the local civil servant is paid by the island budget. The locals make less money than the other ones do you think that is a healthy situation?</p> <p><b>Councilman van Putten:</b> I am looking forward to the answers to those questions that we asked.</p> <p><b>Council lady spanner:</b> Has a study been done if the 6 remaining persons if they can go in a uitzendbureau and then they will be able to clean all the government offices not a station to one place. Instead of keeping the cleaners in government we give them to a uitzendbureau and send them to the place where they have to clean that was the only other question that I had.</p>	
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**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

**Gov. Commissioner:** In terms of the question of Merkman and Spanner in terms of the person who left they were paid out and also found employment so those opportunities were there. Some people went to Made in Statia and that was done through the social domain. To answer miss Leerdam the process has not started with the job agency but it is being considered. You ask if it will be more expensive but we have not reached the table to negotiate as yet.

**Dep. Gov. Commissioner:** Council members you asked about what is the situation in the management roles between local and regional people and Dutch European there are 17 management positions and from that 17 positions, there are 3 vacancies I will come back on that and those 17 management positions there are 14 local regional people on and 3 Dutch European Netherlands. The 3 vacancies one of them Hoofd bureau bestuurondersteuning the acting island secretary one is the finance department and one is the director of the unit manager and one is communication one of them is director of bedrijfvoering. About the island secretary, I assured you at the meeting at STUCO that she was not appointed as the acting island secretary. Because of the island secretary's medical issues, we hired in a temporary assignment this lady, and I can assure you a local person is appointed to this vacancy but we agree with this person that certain education has to be done. So between she is doing this education and she can start we have the temporary assignment of the lady we are talking about. It is not true that she is not appointed. On the director bedrijfvoering, we have also made arrangements for a local talented person who is going to be coached for the coming years to grow to that position. If we go back to the question of how many people are here local and regional from the 17 management positions I think we have 14



**SINT EUSTATIUS  
CARIBISCH NEDERLAND**

	<p>local regional talented people on the job and 3 European Netherlanders.</p> <p><b>Councilman van Putten:</b> I still would like it in writing. You said you bought in the lady but we need to know under what condition and until which period we need to know.</p>	
10	<p><b>Announcements executive Council and Gov.com. ( Art.49/50 RVO IC )</b></p> <p><b>Gov. Commissioner:</b> This is possibly the last meeting of the registrar Mr. Ehsan Jami in his capacity as a coach as well as Deputy Registrar I want to thank you and wish you well in all your future endeavors.</p>	
11.	<p><b>Closing</b></p>	

Adopted on .....2022

The 2<sup>nd</sup> Dep. Registrar

Mrs. M. Robins-Spanner

The Chairlady of the Island Council,

Ms. M.A.U Francis