
National Roads Authority
Minutes of the Two Hundred & Eight Sixth
Meeting of the Board of Directors
held in NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 10th April 2019 at 9:30 a.m.

In attendance were:

Donovan Ebanks	Chairman
Stanley Panton	Director
Dane Walton	Director
David Arch	Director
Kenross Connolly	Director
Paul Bodden Jr (Andy)	Director
Edward Howard	Acting Managing Director
Priscilla Jackson	Executive Secretary

Invited:

Mark Scotland	Senior Project Manager
Michael Whiteman	Chief Surveyor, Lands & Survey Department

Apologises:

Gary Clarke	Deputy Chairman
Tristan Hydes	Representative of Chief Officer, Ministry CPI
Ruth Watson	Acting Chief Valuation Officer

1. Call to Order

The Chairman called the meeting to order at 9:59am.

2. Minutes of Previous Meetings

- a. Minutes of 13th March 2019 - signed off
- b. Minutes of 27th March 2019 - reviewed and changes proposed

3. Administration

3i. Proposed Legislative Review

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

The Chairman indicated that he contacted Ms. Neblett and she has confirmed that the draft of the drafting instructions has been completed. Ms. Neblett is to review the draft and forward them to the Chair once she is satisfied with them.

The Chairman mentioned once the drafting instructions have been reviewed and approved by the Board it will then be submitted to the Ministry for their support.

The Chairman mentioned he received a response from Ms. Neblett yesterday (9th April 2019) regarding the drafting instructions. Ms. Neblett confirmed she will be providing the Chairman with a schedule and proposed drafting instructions for the two laws that we can share with the Ministry, subject to the Board's satisfaction. She is to provide these documents by Friday 12th April 2019.

3ii. Funding – Post-retirement health benefits

Minutes of the 13th March 2019

The Chairman confirmed he has not received an update regarding the documents going to Caucus. He stated that he will raise the matter at the next meeting with Director Hydes and may request Director Hydes to revert to the Board in writing as to what is the status and why the latest proposal was not accepted.

Minutes of the 27th March 2019

The Chairman noted that it has now been three months since the Board submitted its last proposal to revise the statutory funding of the NRA. While Director Hydes provided updates initially of the consideration of the proposal, there has been no substantive update in recent weeks. He suggested that it was time that the NRA formally ask the Ministry to indicate if the proposal had been accepted and if it had not been, why. Director Hydes asked the Chairman to send him an email requesting why it not considered and Director Hydes will revert to him via email.

The Chairman shared with the Board a draft e-mail to the Ministry regarding the proposal that was presented to the Ministry back on 08th November 2018. The draft was requesting the following:

1. If the proposal was approved and if so, when can we expect it to be gazetted,
2. If it is still under consideration and by whom; and
3. If it was rejected and if so what was the reason for rejection.

The Board reviewed the draft and agreed that it be sent to the Ministry.

3iii. Financial Report as of 28 February 2019

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

CFO Olsen Bush was invited to the meeting at 10:30am.

With regard to AR's, the CFO confirmed the invoices for February 2019 were paid and only the below outstanding:

- Dec 2018 \$ 119,148.73 (NICE Program)
- Dec 2018 \$ 1,265.50 (NICE Program, additional charges)

The CFO presented the financial report as of 28th February 2019 to the Board. He reminded the Directors that the 2018-2019 Ownership Agreement was completed a year ago and provided to the Ministry. At the time, the \$1.5M cost per year for the Post-Retirement Health Benefits had been accounted for. However, the Actuarial report

recently received reflect an estimated liability of \$1.8m resulting in an additional annual deficit of \$300k. In addition, the CoLA adjustment implemented last year translates to an additional annual cost of \$250K which also increases the deficit. The Chairman questioned if we need to revise the budget or it is within the \$8.25M, the AMD and CFO will look into this and revert to the Board.

CFO discussed the operational budget and net result to date for this year. The Chairman mentioned he understands the P-rHL and CoLA fall under our budget and would change our remaining working capital to \$8.25M. However, he stressed that overall we cannot exceed the \$10M annual allocation and result in an operational loss.

Dep Chair Clarke mentioned when the Post-retirement came along, the Board considered options and chose a particular one which allowed us to address the liability over a particular time frame. CFO mentioned that the required annual contribution can differ from the agreed contribution as there is an expected rate of return attached to the contribution of \$1.5M.

The Chairman has requested the CFO to:

1. Revise and separate the P-rHL fund to have it listed separately from other cash holdings for the purpose of this report
2. To provide a financial report as of the 1st Monday of each month; and
3. To remove NRA photo on the front page of the report and use the space to list his highlights for each report – positive and negative.

The ES followed up with the CFO and he confirmed the invoices for March were submitted to the Ministry for payment, are:

- March 2019 \$ 50,382.76 – (LPH_
- March 2019 \$ 49,304.39 - (Grand Harbour RAB / Midsummer Dr Traffic Island / Traffic Island South Shore Condos / Additional Bike Lane ETH)
- March 2019 \$ 16,071.37 – Capital Drains Project
- March 2019 \$ 253,943.67 - (Mango Tree to Elgin Ave Connector)
- March 2019 \$ 41,486.14 - (MISC. Asset Road Work)

The Chairman mentioned there was no update regarding the financial report however. The CFO has provided the *AS 19R Actuarial Valuation Report - DB Pension Obligation a.o. 31Dec2018 (Draft)* and it was circulated to members for review. The *IAS 19R Actuarial Valuation Report - DB Pension Obligation a.o. 31Dec2018 (Draft)* has also been circulated. The Board will consider these reports at its next meeting.

The AMD mentioned the CFO would like to meet with the Board at the next meeting to discuss the cost increase by CINCIO for health insurance benefits.

3iv. Budget

Minutes of the 13th March 2019

The AMD provided hard copies of the final budget to the members.

Minutes of the 27th March 2019

No update given.

No update given.

3vi. NRA vehicle - GPS devices

Minutes of the 13th March 2019

The AMD shared a list of devices that are used locally. He stated that eight vehicles are currently fitted with a device provided by Digicel. However, it has been brought to his attention the device is causing electrical issues.

AMD stated he would have the Asset Manager look into pricing and comparison for each company and to provide a revised spreadsheet at the next scheduled meeting.

The AMD added that CUC is currently using a system called Street Eagle and they are willing to provide us with a demo of the device. He also mentioned L&SD has created a system that some Government Departments are using. He has contacted Mr. Andrew Edwards from L&SD who will provide a demo of the system/device.

Minutes of the 27th March 2019

No update given.

The AMD confirmed he received the requested information from the Asset Manager however; he was not able to review it at this time.

Director Panton expressed his disappointment with the delay of the presentation for pricing and comparison for each company.

The Chairman has requested the AMD to ensure the information is completed and to circulate to the Board prior to the next scheduled meeting.

3vii. Explosives Issue - Update

Minutes of the 9th January 2019

The Chairman sought an update on this matter. The AMD confirmed as of today's date the Senior Engineer has not completed the assessment in terms of what material(s) that was unaccounted for. The AMD is to follow up with the Senior Engineer and to provide an update by the next scheduled meeting.

The Chairman expressed his disappointment in this matter. Director Stanley mentioned the AMD should report these issues to the Board and the consequences that will be given to the employee who has not followed the correct protocol.

The Chairman is requesting by the next meeting this matter has been concluded and the Board is informed:

1. if there was any discrepancy; and
2. what the regime has been implemented going forward for maintenance of records regarding the inventory of the magazines.

Minutes of the 23rd January 2019

The ES shared a report that was prepared by the Senior Engineer (SE). The Board reviewed the report but again was disappointed.

The Chairman invited the Senior Engineer to present the report and the assessment for how much, if any, blasting materials were unaccounted for.

The Senior Engineer went through his report with the Board. However, the Board did not find the report clear and straight forward; the Board expressed again their disappointment in this matter.

The Board requested the Senior Engineer to revise his report and to format the inventory information into an Excel sheet and to provide these at the next scheduled meeting.

Minutes of the 6th February 2019

The ES shared a revised report that was provided by the Senior Engineer (SE). The Board expressed their disappointment as the report was clearly incomplete and was unable to discuss at this time.

Minutes of the 20th February 2019

The ES shared the finalized report that was provided by the Senior Engineer (SE) with the Board.

Director Panton stated that he feels that the Senior Engineer should have acknowledged the failure of the organization in this matter.

The Chairman questioned the number of active quarries; Director Bodden confirmed they are five active quarries. He again questioned why the SE still has not provided an excel sheet regarding the inspection records for each quarry or magazine.

Director Panton questioned how often AMD met with the inspector(s) to discuss their reports, AMD confirmed when the inspections were being done, he met with the inspector(s) at least once a month up to 2014. After that, inspections stopped due to overload of work. Director Panton mentioned he was not only disappointed in the SE but also the MD/AMD as they should have followed up and identified that the inspections were not being done.

The Chairman invited the SE to attend the meeting; he confirmed the Board received the final revised report. However, the Chairman expressed his disappointment again due to the poor quality, lack of ownership and writing style. He mentioned to the SE, the Board has asked the AMD to review the contents and the conclusion. The current conclusion highlights the fact that the report does not acknowledge that NRA bears any responsibility for this situation. The Board is beyond disappointed that now six (6A) months after this incident was first reported, there is not a current record of the inventory of every explosives magazine and a system for keeping such a record up to date. The Chairman confirmed the Board is expecting for there to be consequences as this is serious matter and a serious display of lack of responsibility.

Minutes of the 13th March 2019

The Chairman mentioned a revised report was received from Edison Jackson yesterday evening (12th March 2019), almost three (3) weeks after the last meeting. In light of the late submission, the Board is unable to review the report at this time.

Director Clarke noted that the minutes stated that the Board requested the AMD to handle the situation in terms of consequences and results.

The Chairman mentioned the issue was raised that the report should have acknowledge the responsibilities and shortcomings of the NRA and should have been edited to reflect this.

SPM confirmed he and AMD met with Mr. Jackson to review and discuss the final report. AMD confirmed on the 23rd of February he sent an email CHRO detailing all the consequences that could possibly take place. He provided options such as reduction to salary for six month period etc. CHRO is to consult with the Labour Law and revert back to the AMD.

AMD confirmed he and CHRO have met with Mr. Jackson and he is aware of the proposed consequences.

The Chairman suggested seeking legal advice for this matter.

Minutes of the 27th March 2019

The Chairman questioned if members had chance to review the draft report that was provided by Mr. Jackson on 12th March 2019. Director Arch mentioned he did not find any differences between the reports.

The Board is to review at the next schedule meeting.

The Chairman raised the matter of the Explosives report that was received on the evening of 12th March 2019 and asked if Members had had a chance to review it.

The Chairman confirmed he reviewed the report and shared with the Board a few comments he made. He will share his comments with the AMD and Mr. Jackson.


The Board acknowledged the receipt of the report and the information provided therein. The Board has serious concerns of the lack of timeliness in providing the information and the institution of measures to ensure proper account of blasting materials.

4. Planning

4i. Linford Pierson Hwy widening – legal and compensation settlements


Minutes of the 13th March 2019

Redacted under Section 17(a) of the FOI Law 2015

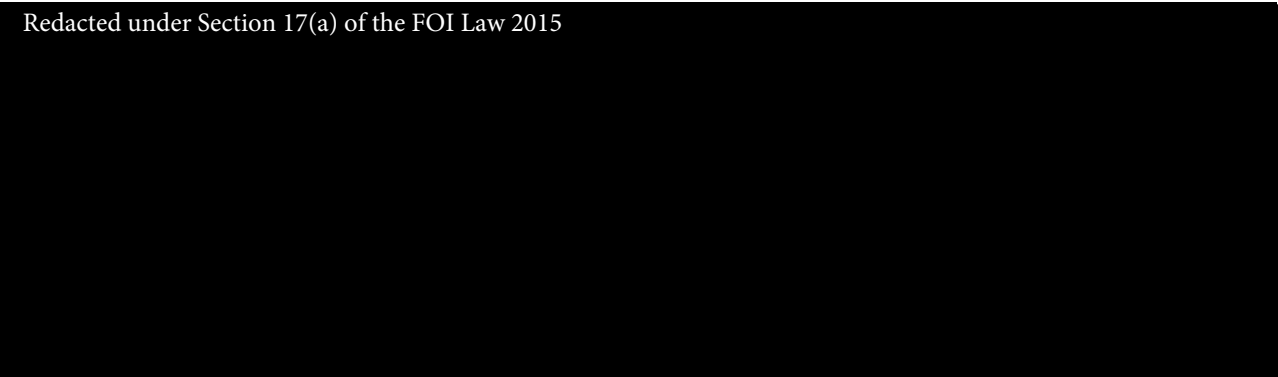


Minutes of the 27th March 2019

Redacted under Section 17(a) of the FOI Law 2015



Redacted under Section 17(a) of the FOI Law 2015



Redacted under Section 17(a) of the FOI Law 2015

4ii. Esterley Tibbetts Hwy widening – legal and compensation matters

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

No update given.

SPM Scotland confirmed that CUC has made process with the filing of the way leave forms.

4iii. Traffic simulation/forecasting model - update

Minutes of the 13th March 2019

The consultants from WRA, Jonathon Avner and Scott Thompson were invited to attend the meeting to present some preliminary products of the Travel Demand Model (VISUM) which was handed over to the NRA on 12th March 2019 and two (2) tested scenarios from the Traffic Operational Model (VISSIM).

WRA did a presentation comparing Measures of Effectiveness (MoE) of future traffic conditions in 2026 and 2036 versus the 2016 traffic flow conditions (with road network improvements as proposed in 2018). Additionally, the consultants demonstrated preliminary results of the effects of the six-lane widening from Silver Oaks RAB to the Tomlinson RAB and the impact of the closure of Crewe Rd (at the end of the runway). The Chairman requested WRA to ensure that the Traffic Operational Model (VISSIM) is completed by end of April 2019.

Minutes of the 27th March 2019

The Chairman questioned the AMD regarding WRA completing the Traffic Operational Model (VISSIM) by end of April 2019; AMD confirmed WRA is working to have it completed by this requested deadline.

The Chairman requested the AMD to write to WRA for confirmation of the delivery date.

4iv. Ministry of Infrastructure – 5YR Project Plan

The Chairman mentioned Director Hydes provided a full list of proposed projects in writing on 23 February 2019 (see attached Excel spreadsheet 20190223 - *Ministry of Infrastructure - 5Yr Project Plan*; TH20190223).

Minutes of the 13th March 2019

SPM Scotland shared a drawing of the proposed the six-lane widening from Red Bay RAB to the Grand Harbour RAB including the cross section of 109ft.

He also shared pictures on how the proposed Red Bay RAB should be used. The inside lane will be dedicated for traffic coming from the Prospect / Red Bay Primary. The middle lane will be used for traffic coming from Hurley Merren BLVD and the third lane going to South Sound Rd. SPM mentioned once the Board approves the proposed design with the cross section of 109ft and with the concept of the proposed plan, APEC will be directed to continue and to provide a gazette plan as soon as possible. Director Panton stressed the importance of proper public information to educate the public of the changes from now. SPM stated that the NRA has started but unfortunately the contact person from GIS has left so the NRA is currently working with another representative.

Minutes of the 27th March 2019

Director Hydes mentioned he will email the Chairman regarding the budget that was discussed yesterday at Caucus for the priority work to be completed over the next two years.

He mentioned he will send via email to the Chairman however, here are priority road works to be reviewed either permanently or temporarily:

- Relieving traffic flow from Grand Harbour to Crewe Rd / Tropical Gardens
- Esterley Tibbetts Highway extension to the Airport
- East West Arterial extension
- Third lane from Red Bay to Grand Harbour; and
- Resources such as equipment

No update given.

4v. NRA – Design Projects 2019-2020 – status

Minutes of the 23rd January 2019

SPM Scotland shared with the Board a list of Design Projects for 2019 that has been discussed over the past few years:

- **Bobby Thompson Way / LPH – Part of Phase 2A**, SPM mentioned [REDACTED]
Redacted under Section 17(a) of the FOI Law 2015
[REDACTED]
- **Godfrey Nixon Way Extension** – The gazette is complete and the design is in process, at approximately \$2.5M for compensation.
- **Selkirk Drive** – The design is in process
- **Shamrock Rd** – six lane widening, he confirmed NRA has executed the contract with APEC to complete, he has requested for APEC to provide the design within six weeks for the section between the Red Bay RAB and the Grand Harbour RAB because we would like to have the third lane from RB RAB to GH RAB which will assist with the traffic flow in the Prospect area.
- **Shedden Rd** – SPM confirmed we are still working on the design unfortunately, we don't have numbers for this project as yet.

- **Tomlinson RAB** - Have the design and proposed to complete the work for summer 2019
- **McField Lane** – He confirmed there is BP401, topo survey is completed however a design has not yet been completed.
- **Water Cay** - He confirmed we have received 10,000 ft of survey, there is a lot of encroachments, the first step is to identify the property owners and inform them of the proposed work.

Director Hydes mentioned he received the list and has requested timelines for each project.

Minutes of the 6th February 2019

No update given.

Minutes of the 20th February 2019

No update given.

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

No update given.

No update given.

4vi. BP's 09 & 12 – Legal Advice

Minutes of the 13th March 2019

The Chairman shared with the Board legal advice "Giving the Effect to Boundary Plans of Forty Years Ago" which was provided by the Attorneys General's Chambers. He would like for Ms. Ruth Watson to attend a future meeting when this can be discussed. He will reach out to her to confirm her availability.

Minutes of the 27th March 2019

The Chairman questioned if anyone was able to review the legal advice. Unfortunately, no one had reviewed it. He stated he will contact Ms. Ruth Watson and invite her to our next meeting to discuss this matter.

The Board agreed to this.

Mr. Michael Whiteman, Chief Surveyor (CS), L&SD, attended the meeting at 11:35am. He gave apologies for Mrs R. Watson.

The legal advice "Giving the Effect to Boundary Plans of Forty Years Ago" had been previously shared with the Board and Mr Whiteman.

A discussion ensued with the Board and the CS.

The legal opinion summarizes that:

1. BP09 & BP12, issued under section 3 of the Roads Laws 1974, are limited to scheduling the width that the Government proposes that the respective roads should be (30ft and 50ft) but do not have the effect of divesting the then owners of the sections of their property to achieve the scheduled widths.

2. In order to widen any road to achieve its scheduled width, the NRA is obligated to proceed pursuant to the provisions of sections 3, 4, and 6 of the current Roads Law.
3. In this case, the property owners would not be entitled to compensation if their interest in the property in question was acquired after 31st January 1977 and that acquisition was not by way of inheritance.

The CS confirmed that he had conferred with ACVO Watson and the advice provided by legal Department is more or less along the lines of how L&SD have operated. The issue of persons purchasing property adjacent to roads subject to BP09 and BP12 without knowledge of existence of the potential impact was raised. The CS acknowledged that the Land Registry currently does not include this information and noted that it would be a substantial exercise to implement it comprehensively.

While the L&SD has not been presented with claims for compensation when giving effect to BP's09&12 at the time of registering fixed boundary surveys, the Chair undertook to seek clarification from Ms Lewis if the same compensation advice would apply to proactive adjustments of boundaries by the L&SD.

The Chairman reiterated that the foresight of policymakers of 40+ years ago should not be wasted. He floated the idea of creating an exercise with the L&SD and the NRA that would take some years to complete, subject to the resources assigned, that would include re-defining the property boundaries, having lot sizes adjusted on the Land Registry and taking possession of the strips of property.

5. Operations

5i. District Roads – Selkirk Dr. Faye St., & Ann St., N. Sound Estates

Minutes of the 13th March 2019

The Chairman mentioned due to the condition of these roads, there is the potential for them to become significant issues during the raining season.

SPM Scotland confirmed the earlier proposal to try to direct stormwater to Grand Harbour is being revised and he will follow up with on the status.

The Chairman suggested that we need to set a level, if it is 3.5ft or 4.0ft above sea level, determine what would be the cost of raising the roads to this level with crown and inform the property owners that they will have to raise their drive ways at their own expense.

SPM confirmed he does not have an estimated figure on the proposed road work.

The Chairman suggested we can only assist with raising the road to afford a dry and durable access to the adjacent properties. Once the estimates are received, we can inform Director Hydes and the Ministry of total amount for each road.

Minutes of the 27th March 2019

No update given.

North Sound Estates –

The Chairman questioned if there was an estimated cost for Selkirk Dr, Fay St & Ann St.

SPM Scotland confirmed that the NRA now have a plan for the North Leeward Dr and Faye Street to raising the road to approximately +2.5 to +3. SPM confirmed this project will be funded by District Funds.

The Chairman mentioned Ann St., the corresponding street on the opposite side off Windward Drive. We will need to inform the Ministry of the proposed work of Leeward and Faye Street and to replicate it for the proposed work on Windward Drive and Ann St.

Selkirk Drive –

The Chairman noted that some work had been done on the northern end of Selkirk Drive. He suggested that we needed to continue this approach, bringing the elevation of the road to +3.5ft to +4.0 ft to avoid flooding. SPM mentioned the proposed plan was to raise the road to a minimum of +4ft, if we decide to raise only to +3.5ft the design may have to be reviewed.

5ii. Capital projects - July – December 2018

5ii.a. Esterley Tibbetts Hwy widening – design & construction oversight

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

No update given.

SPM Scotland mentioned the lines are painted on ETH, 3ft for cars and 5ft for the bike lane/pedestrians. The Board agreed to have the delineators installed.

5ii.b Crewe Rd/Smith Rd intersection – Signage

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

No update given.

No update given.

5ii.c Shamrock Rd/Hirst Rd - Re-alignment, Drainage & Resurfacing

Minutes of the 13th March 2019

SPM Scotland confirmed that Director Bodden and he met with Mr. R Moxam and Mr. J Rea at the Country Corner site.

SPM stated that Mr. Moxam and Mr. Rea are trying to avoid installing the physical traffic control (dragon teeth). Mr. Moxam suggested the possibility of installing a speed hump instead of the dragon teeth as it is "exit only".

The Board discussed and decided to stand by their original decision that a physical traffic control to prevent entry must be installed if the developers wish to exit onto Shamrock Rd. SPM is to write to Mr. Moxam to inform him.

SPM mentioned that he informed Mr. Moxam on how the curbing that was built at the exit was not on either his or NRA's plan. His contractor is to repair the curbing.

Minutes of the 27th March 2019

SPM advised that he emailed Mr. Moxam regarding the curbing and proposed exit that was not on either his or NRA's plan. However, he has not received a response from Mr. Moxam.

Philip Berry was invited to the meeting at 11:45am

Mr. Berry presented to the Board four options of different proposed pedestrian crossings with the bus stop /shelter being installed on the edge of property 28D S.23(1)

S.23(1)

SPM mentioned Clifton Hunter School has also requested to have this reviewed due to the number of students who wait at this location for the school bus.

The Board reviewed the four options. The Board thanked Mr Berry for his proposals and requested that he further revise them in light of the discussions and provide copies by the next schedule meeting.

SPM Scotland confirmed he reverted to Mr. Moxam with the Board's decision to decline his request to not installing the dragon teeth. SPM confirmed since then Mr. Moxam has completed the parking lot, painted a left turn yellow arrow and currently has a yellow caution tape across the proposed exit. SPM believes Mr. Moxam is currently waiting for the final inspection. SPM confirmed he has notified the NRA staff to notify himself, AMD and Denis Thibeault once the inspection requests are submitted. The inspection is to be completed by senior staff and comments/concerns submitted to planning department.

5ii.d Mango Tree to Elgin Ave Connector

Minutes of the 13th March 2019

SPM Scotland confirmed Mango Tree Connector is paved up to the RAB by Printers Way and will open on Monday 18th March. This includes the two lanes going towards the airport and one lane from the airport. The remaining lane from the RAB to the CNB RAB will be paved next week. However, the four lanes to Elgin Ave will not be opened until the road work is completed.

SPM mentioned the sidewalk will stop prior to Mango Tree. The adjacent property owner who had indicated a willingness to have his boundary moved back about 2ft to accommodate the sidewalk has rescinded his undertaking.

With regard to the Mango Tree property, SPM stated that the NRA has prepared a drawing providing for the side walk with an entrance and exit. It will decrease the parking lot by two spaces. The Board questioned how much land was needed from the Mango Tree property. SPM indicated that a maximum of 4ft was required.

The Chairman suggested contacting the property owners to inform them that the sidewalk is needed for the safety of the road and the public. If they do not agree the Chairman suggested contacting the Ministry to acquire and gazette the strip.

Minutes of the 27th March 2019

Director Hydes mentioned the issue regarding the property at the RAB and Printers Way (14C [REDACTED]). He mentioned the representative of this constituency has raised the issues regarding the traffic flow and the property owner unable to reverse from his drive way via social media.

Director Arch mentioned the property owner was notified four years ago of the proposed RAB and extension and he refused to speak to the Board. Director Arch stated he has seen the property owner on the news complaining of the traffic and he is unable to reverse from his drive way. However, he was aware of the proposed extension but he refused to speak to NRA with any concerns.

The Board reviewed the design and discussed the traffic flow. AMD also shared pictures of vehicles traveling along Printers Way and the RAB.

The Chairman questioned acquiring the property. Director Hydes mentioned he has requested L&SD to determine the cost of purchase. However, as they are rentals on the property there is a possibility the cost of purchase may be higher than average.

The Chairman suggested making the property owner an offer for purchase when the valuation is received. If he declines the offer, we should offer to install a guard rail(s) at the corner of the property on Printers Way.

Director Hydes mentioned once he receives the valuation from L&SD he will provide to the Board for review.

Director Panton suggested having an additional lane from Crewe Road on to Mango Tree (North Bound). SMP Scotland mentioned he will have APEC prepare a design for review.

5ii.e Walkers Rd to Olympic Way connector

Minutes of the 13th March 2019

The AMD informed the Board that it was his understanding that the section 3 gazette notice had been approved by Cabinet and should be published shortly.

Minutes of the 27th March 2019

Director Hydes raised the issue of notifying the affected property owners before the proposed work is started. SPM confirmed he will be notifying each owner.

The Chairman mentioned as the property owners have not yet been notified of the section 3 notices, we need to verify with L&SD that the notices are actually being sent to the affected property owners.

Director Hydes confirmed he has informed Observer Brown to only notify the affected property owners. However, the property owners are not initially notified but the section 6 it is published to the public of who is affected and the square footage that is acquired. Director Hydes mentioned this is the reason why the property owners should be notified by NRA of the proposed work.

SPM Scotland confirmed the BP was gazetted in March 2019. He confirmed Philip Berry has spoken and notified each affected property owner of the proposed road work. Clearing of land will commence tomorrow, Thursday 11th April, and next week Water Authority will install pipe lines. Once WA has completed the pipes lines CUC will commence with their utilities.

5ii.f Funding Injection by Ministry – Projects Update

5ii.f.1 Spotts Road

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

No update given.

No update given.

6. Other Business

6i. Claims for Compensation

Minutes of the 13th March 2019

a. **Clippers Quay – BP 486 – S.23(1) Block 12C Parcel**

SVO Ruth Watson presented to the Board a memo dated 27th February 2019 from L&SD recommending the settlement of the subject claim in the amount of CI \$339,987.17 broken down as follows:

S.23(1)	Land Affected (area, based on notices served 39,204 sq ft @ \$8.50 psf)	CI \$333,234.00
Chaterland Chartered Surveyors	Professional fees (5 hours @ CI \$150 p/h)	CI \$750.00
Solomon Harris	Professional fees (advised time incurred 23.2 hours, plus disbursements -\$23.17)	CI \$3,503.17
Bodden & Bodden	Professional fees (-advised time incurred 16hours, plus disbursements - \$100)	CI \$2,500.00
Total		CI \$339,987.17

The Board reviewed the request and recommended the requested payments.

No further discussion on this matter

Minutes of the 13th March 2019

b. **Crewe Road Widening, BP 598 affecting Block 20D Parcel** **Claimant : S.23(1)**

SVO Ruth Watson shared with the Board a briefing note dated 12th March 2019. The Board had received a letter from S.23(1) dated 22nd November 2018 on behalf of S.23(1). The claimant acquired the property block 20D parcel (previously block 20D parcel S.23(1) in 2005 which was then owned by S.23(1) and S.23(1). BLK 20D PCL S.23(1) were subject to BP 297(Section 3 – Notice of Intention) published in October 1992. At the date of the gazette, the registered owners were as follows:

- 20D S.23(1) – approximately 0.04 acres taken
- 20D S.23(1) - approximately 0.01 acre taken

SVO Watson stated that as Baraud International Ltd. was not the registered owner of parcels and at the time that BP 297 was gazetted, S.23(1) are not entitled to claim for this property.

The Board accepted the advice and requested the L&SD to respond to S.23(1) on its behalf.

No further discussion on this matter

6ii. Legal action – S.23(1) Block 13D Parcel

Minutes of the 13th March 2019

SPM advised that Mr. Uche Obi confirmed he had received the letter and the S.23(1) have accepted the intent of the letter. However, Mr. Obi is now requesting a draft agreement. The Chairman stated that the letter had been issued in accordance with the legal advice received. If the S.23(1) feel that an 'agreement' is necessary, they should be invited to provide a draft for the Board's consideration.

Minutes of the 27th March 2019

No update given.

No update given.

6iii. Signage – Primary arterials

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

No update given.

No update given.

6iv. Board Members

Minutes of the 27th March 2019

Director Arch mentioned the delineators on Crewe Road and Smith Road need to be replaced once the new stock has been received. On Huldah Ave. the section in front of the bathrooms by the cricket field needs to be repaired.

Director Clarke mentioned concrete spills as he noticed a few on the road. SPM mentioned the Works Manager raised the issue and needs to remove them.

Director Panton mentioned that Mr. Woody Foster contacted him regarding his submission for the new cart system which was recently installed at Country Side and West Bay Foster's. He mentioned that Mr. Foster would like to expand the system for the Airport Store (ring fence) towards the bus stop across from Mango Tree. However, Director Panton suggested that NRA not approve the ring fence to include the bus stop across from Mango Tree as that location is not sustainable.

The Chairman mentioned we discussed moving the bus stop next to NAPA however, that location is no longer feasible.

Director Panton mentioned the cost for the Kaaboo Festival and what was donated by the Department of Tourism. He wondered if the NRA has an estimated value on what we charged or donated based of our resources. He mentioned that the RCIPS has submitted their figures and is currently being reimbursed for their time and resources. AMD is to review and confirm. His view was that the NRA should require payment when assisting for profit activities.

Director Bodden mentioned the section of North Sound Rd along Alista Towers where the asphalt is currently failing. He questioned if the testing results were ever received on local aggregates. AMD confirmed we did receive the results and the failure is a result of excessive asphalt content. AMD mentioned this section of road has been on our list for mill and pave.

The Chairman raised the issue of the vacant MD post. He said that his understanding of the Public Authorities Law (section 25) is that it is mandatory that the Board conduct a recruitment process to fill the vacancy. There is no authority for the Board to make an appointment otherwise and there is no authority vested in anyone to permit the Board to do otherwise. The Acting MD concurred with this assessment.

He also said that he had reviewed the job description for the post and had shared it with Dep Chair Clarke and the Acting MD and received their input as to possible changes; each had suggested minor changes which he had incorporated.

He undertook to share the revised job description with members and said subject to their concurrence with it, the process would now need to start with:

- notification of the Minister and Chief Officer (notwithstanding they currently know); and
- submission of the job description to the Portfolio of the Civil Service for evaluation.

Finally, the Chairman stated that in the interim, the acting appointment of the Deputy MD would need to be extended; he suggested extension for a period of four (4) months.

The Board accepted the Chairman's assessment of the process which had to be undertaken and agreed to an extension of four (4) months to the acting appointment of the Deputy MD.

6vi. Miscellaneous

a. BP 138 - Farm Road – Request for water

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

The Chair advised that it was his understanding from Denis Thibeault who had been chasing this that the survey should be gazetted shortly as PCM 325.

No update given.

c. Further Road – North Side - Block 53A Parcel

Minutes of the 13th March 2019

No update given.

Minutes of the 27th March 2019

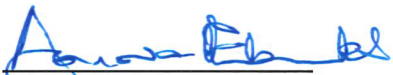
No update given.

No update given.

7. Date of next meeting


The Board will hold regular meeting on 24th April 2019.

There being no further business, the meeting was adjourned at 1:49pm.

Signature 
Chairman of the Board

Confirmation of minutes:

Date: 15 May 2019

Signature 
Executive Secretary

Seconded: Confirmation of minutes

Date: 15 May 2019