
**National Roads Authority
Minutes of the Two Hundred & Ninetieth
Meeting of the Board of Directors
held in NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 29th May 2019 at 9:00 a.m.**

In attendance were:

Donovan Ebanks	Chair
Stanley Panton	Director
Dane Walton	Director
David Arch	Director
Kenross Connolly	Director
Paul Bodden Jr (Andy)	Director
Tristan Hydes	Representative of Chief Officer, Ministry CPI
Edward Howard	Acting Managing Director
Priscilla Jackson	Executive Secretary

Invited:

Mark Scotland	Senior Project Manager
Winston Sobers	Representative from the Office of the Auditor General
Patrick Smith	Representative from the Office of the Auditor General

Apologies:

Gary Clarke	Deputy Chair
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1. Call to Order

The Chair called the meeting to order at 9:33am.

2. Minutes of Previous Meetings

- a. Minutes of 24th April 2019 –signed off
- b. Minutes of 15th May 2019 - reviewed and changes proposed

3. Administration

3i. Proposed Legislative Review

Minutes of the 24th April 2019

The Chair shared with the Board the two drafting instructions received from Ms. C Neblett related to amendments to the Roads Law and the National Roads Authority Law. The Board was also provided with a copy of its proposals. Members were asked to review the draft instructions relative to the Board's proposals to see whether they reflect the Boards recommend changes.

Once members are satisfied with both documents the Board will submit the necessary documentation to the Ministry for consideration.

Minutes of the 15th May 2019

The Chair questioned if members had been able to review the drafting instructions relating to the amendments to the Roads Law and the National Roads Authority Law. Dep Chair Clarke confirmed he started the review but was unable to complete both documents.

The Chair suggested considering the documents at an EO meeting on 22nd May 2019; the Board agreed to this.

The Chair also mentioned that the AMD had shared an Anti-Fraud policy received from the Ministry which the Board was expected to consider adopting. It was agreed that this document would also be considered at the EO meeting.

The Board met on 22nd May to review the consideration of the amendments to the Roads Law and the National Roads Authority Law. They are expected to meet again on 19th June 2019 to continue the revision.

3ii. Funding – Post-retirement health benefits

Minutes of the 10th April 2019

The Chair 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.

Minutes of the 24th April 2019

The Chair confirmed that he wrote to the Ministry as agreed in the previous meeting but has not received a response.

Minutes of the 15th May 2019

The Chair confirmed as of today's date he has not received a response.

The Chair confirmed he has not received a response regarding this matter however. He will send a follow up email.

3iii. Financial Report as of 01 April 2019

Minutes of the 24th April 2019

The Financial Report as of 01st April 2019 was not available. The AMD stated that the CFO was out of office. The Chair requested to have the CFO circulate the financial report prior to the next schedule meeting.

Minutes of the 15th May 2019

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

- April 2019 - \$7,210.00 (LPH)
- April 2019 - \$85,398.01 (Grand Harbour RAB / Midsummer Dr Traffic Island / Traffic Island South Shore Condos / Additional Bike Lane ETH)
- April 2019 - \$12,479.26 (Capital Drains Project)

- April 2019 - \$241,289.77 (Mango Tree to Elgin Ave Connector)
- April 2019 - \$116,730.45 (Misc. Asset Road Work)
- April 2019 - \$81,668.17 (Walker Rd to Olympic Way)

The CFO presented the financial report as of 01st April 2019 to the Board. He pointed out that \$225K additional cash expenditure is required as a result of the 2018 CoLA and \$175K as a result of the increase in policy premiums by CINICO.

The CFO discussed the report showing the Cash Equivalents General Bank account \$2.3M, Payroll account and Med Liab Fund Fixed Deposit at \$2.2M with an approximate total of \$4.8M.

He confirmed the breakdown of the Med Liab Fund with \$1M in a Depreciation fund and \$1.4M as Cash (unrestricted).

CFO confirmed that the Cash (unrestricted) has been a bit lower than the past years. He also confirmed that we have been receiving the funding and payment of invoices from the Ministry in a timely manner.

The ES followed up with the CFO and he confirmed all invoices for April are still outstanding.

3iv. Presentation by Office of the Auditor General

Mr. Winston Sobers and Mr. Patrick Smith of the Office of Auditor General were invited to attend the meeting at 10:44am to present their office's ISA 260 Report on their audit of the NRA's 2018 accounts. Mr Adrian Murenzi who had led the audit was not available.

The CFO shared the draft report with the Board. Mr. Smith confirmed the report includes a management letter which needs to be executed by the NRA.

The report includes a series of comments / observations generated by the Audit Office and inputs or responses provided by the CFO and AMD of the NRA.

The CFO expressed his concerns that as the report will be available as a public document, it needs to be accurate and not vulnerable to incorrect interpretation.

Mr. Smith stated that the NRA can review and discuss the report with them and if changes need to be made, they can be.

The Board discussed the report with the Auditors and noted in particular observation b. on pp.10-11. While it is correct that the NRA tendered numbers in late 2017 in response to the CIG's 2018-2019 budget call which equated to a net losses for 2018 and 2019, the NRA did so in the faith that its request for additional revenues to offset the cost of the post-retirement healthcare liability, which it had been required to assume, would have been honoured by the CIG. This has never happened (see item 3.ii. above).

The Board is committed to keeping actual expenditure within the revenues received.

3v. Budget

Minutes of the 24th April 2019

The Chair questioned the AMD if there were any changes made to the current budget. AMD stated that he was considering decreasing the \$1.2M allotment under NRA6 (District Roads) in order to make up for anticipated shortfalls in the budget due to unexpected increases in the CINICO Health Insurance premiums. The AMD would inform the Board of any budget changes in this regards.

Minutes of the 15th May 2019

No update given.

The AMD confirmed he is to make changes and will present the amended budget to the Board for review at its next meeting.

3vi. NRA vehicle - GPS devices

Minutes of the 24th April 2019

The AMD shared with the Board a spreadsheet with a few devices that are used locally, the monthly cost and what they offer. The two companies that are reasonable in cost and offers the features that we need are:

- Street Eagles is approximately \$25.16 per month for each device and offers the required features as well as extended features if needed. AMD mentioned CUC has been using this device for the past 12 years.
- Rhino is approximately \$15.00 per month for each device and offers only the basic features.

The Board discussed each device and what they offer. AMD suggested that we proceed with Rhino as it is reasonable and offer what we require.

The Chair mentioned having a person either independently or a senior manager who will oversee the GPS reports and will flag anything that seems out of the ordinary. He also mentioned to the AMD to aim to have the GPS system in effect by 1st June 2019.

SMP suggested contacting CUC regarding how they handle the monitoring of the reports.

Minutes of the 15th May 2019

The AMD confirmed we have received eighteen GPS devices as the first of two allotments. Installations of these should be completed by the end of the week and the second set of devices should be here by the end of the month.

The Chair questioned if the AMD if he was able to identify the persons who will be able to monitor the reports. AMD confirmed he has not yet found someone but is looking into it.

The AMD confirmed we have now installed eighteen of the GPS devices and he shared with the Board how the tracking system works and what features it offers. He confirmed that he is still in the testing stage of the system.

The Chair questioned if the AMD has decided who will have access to the system and who will receive the weekly/monthly reports. AMD confirmed he has not yet found someone but is looking into it.

3vii. 2019 NRA Objectives and Strategies

Minutes of the 24th April 2019

The Chair shared with the Board a revised version of the spread sheet which had been developed by NRA mgmt. The revised format provided for updates to be presented to the Board. He asked that the AMD provided the Board at its next meeting with an update a.o. 01st May.

Minutes of the 15th May 2019

The Chair questioned the AMD regarding an update to the revised spread sheet, AMD mentioned he met with the CHRO and she was to update her notes and provide back to him. Once AMD receives it he will then circulate via email to members.

The Chair raised the matter of hiring a Traffic Engineer. AMD confirmed he has met with the CHRO and they have drafted a job description. However, due to the lack of space in

the office they did not proceed any further. The Chair mentioned as we are completing the Traffic Models, we will need a Traffic Engineer with experience in the technology. AMD is to seek the space and proceed with recruiting a Traffic Engineer.

The AMD shared the Objectives and Strategies spread sheet, updated a.o. 27 May 2019, with the Board.


The Chair raised the matter of item #10 - Developing a scope for new NRA facility. The AMD stated that we are seeking a local firm who has assisted with a scoping document similar to what was completed for the Sunrise Adult Centre. The CHRO is to contact Mr. Tommy Ebanks who shared what was completed for the Centre with the AMD.

4. Planning

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


Minutes of the 24th April 2019

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

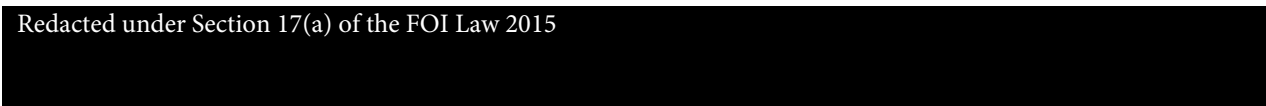


Minutes of the 15th May 2019


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



4ii. Traffic simulation/forecasting model - update

Minutes of the 24th April 2019

The AMD confirmed he received a formal confirmation that WRA will complete the exercise by April 30th. He mentioned he will be scheduling dates with the consultants to deliver the model and conduct a presentation during the first week of May 2019.

Minutes of the 15th May 2019

The consultants from WRA were invited to attend the meeting at 11am.

The AMD confirmed they did a presentation to Minister Hew yesterday (14th May) including Director Hydes and Observer Brown. He mentioned that a few scenarios were shared on future congestions and instructions from the Minister are to develop a schedule of 'quick wins' projects that can be done with in the next 2-3years.

The AMD introduced the WRA Project Manager Mr. Scott Thompson-Graves along with his colleagues Jeff Moore, Lindsey Ulizio and Stacy Wang.

The consultants did a presentation comparing Measures of Effectiveness (MOE) of future traffic conditions in 2026 and 2036 versus the 2018 traffic flow conditions.

The consultants advised that the Traffic Operational Model (VISSIM) is now complete and in the possession of the NRA. WRA will continue to provide support to the NRA in the use of both models for the next 6-9 months based on other Government Agencies.

The Chair raised the recruitment of the Traffic Engineer. The AMD raised the concern of insufficient space in the office. The Chair suggested that the AMD needed to get a firm handle on the secondment arrangement of Mrs Pandohie to the Ministry and whether the Ministry intended to employ her directly. He further suggested that if the Ministry was not minded to, he should seek the agreement of the Ministry to 'accommodate' her as her space at the NRA needed to be used for the Traffic Engineer.

The Board reaffirmed the need to seek a Traffic Engineer who has the experience and can assist with Traffic Model.

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

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

SPM Scotland shared a document listing proposed Design Projects for 2019-2020; he confirmed he will be adding the construction work onto the spreadsheet.

SPM mentioned he and the AMD met and agreed to consolidate both Ministry of Infrastructure – 5YR Project Plan and NRA – Design Projects 2019-2020 as a master sheet and to continue to add to it.

No update given.

4v. BP's 09 &12 – Legal Advice

Minutes of the 24th April 2019

The Chair mentioned he wrote to Ms. Dawn Lewis regarding a few questions relating to her advice. She is currently out of office he is waiting for a response when she returns.

Minutes of the 15th May 2019

No update given

No update given

5. Operations

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

Minutes of the 24th April 2019

Selkirk Drive –

The Chair shared photos of flooding along this road in September 2018 and where he thought the road had been raised. He suggested we should raise the remaining sections with a proper crown and with the aim of providing a durable access that is not vulnerable to flooding.

SMP mentioned we are supposed to start proposed work on Faye Street this week; he will follow up to the Chair Board.

Minutes of the 15th May 2019

North Sound Estates –

The Chair shared photos of Windward Rd and Ann St as we have just completed raising the road and preparation for resurfacing. However, the public right-of-way ends prior to two residences which are served by the private section which is badly deteriorated. He had been able to contact the property owner of the road. The property owner confirmed

he completed the second phase of the sub-division and have now sold all the lots, and he confirmed he is in support of the upgrade and transferring the road to the Crown. SPM Scotland suggested paving to the private section and chip and spray the remaining section to house 396. Observer Brown suggested having the property of the private section to transfer the road to the Crown; he will speak to Mr. David Fawcitt regarding this matter.

The Chair undertook to seek to have the owner of the private road confirm in writing his willingness to transfer to the Crown.

No update given

5ii. Capital projects - July – December 2018

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

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

No update given.

No update given.

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

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

Director Connolly questioned the update on Country Corner Ltd and the exit onto Shamrock Rd. He noticed that the exit arrow has now been painted. SPM confirmed it has not been opened as yet. However, the final inspection for the CO (Certificate of Occupancy) should take place within the next 5-6 weeks.

SPM Scotland also confirmed that neither Mr. Moxam or Mr. Rea has acknowledged receipt of the email sent regarding the reconsideration of the physical traffic control (spike strip/dragon teeth).

No update given.

5ii.c Mango Tree to Elgin Ave Connector

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

Director Clarke questioned the status to the Mango Tree RAB. SPM confirmed that by today the section along Mango Tree on the eastbound lane will be completed. The section on the west bound is the only section remaining to be completed.

Director Hydes mentioned the Minister and himself met with Mr. Morrison this morning (29th May 19) discussing the issue being on the corner of the RAB. The Morrison's will be moving from that location. Director Hydes confirmed he will prepare the documentation that is needed to acquire the property and possible gazetting. In the meantime, there is flooding by their driveway. He requested that the drain be cleared in order for the water to flow.

Director Hydes mentioned the Minister questioned when the connector will be open fully. SPM Scotland confirmed we are currently awaiting approval from CIAA to complete the slip lane.

5ii.d Walkers Rd to Olympic Way connector

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

No update given.

No update given.

5ii.e Funding Injection by Ministry – Projects Update

5ii.f.1 Spotts Road

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

No update given.

No update given.

6. Other Business

6i. Claims for Compensation

Minutes of the 24th April 2019

There were no claims for compensation.

Minutes of the 15th May 2019

A. BP 591- Godfrey Nixon to West Coast Road – Claims received after mandatory 90 day period.

VO Spencer Turner presented to the Board a memo dated 26th April 2019 from L&SD requesting the Board of Directors consideration of whether to accept the claims for compensation for the following, none of whom had communicated their intention to claim within ninety (90) days as required by s.9 of the Roads Law:

- 14CF [REDACTED] Form A was received, via agent, by e-mail on 19 March 2019. The Form A presented is dated 28 February 2019. *This parcel is affected by outright land take.*
- 14BG [REDACTED] Form A was received, via agent, by e-mail on 21 March 2019. The Form A presented is undated. *This parcel is affected by partial land take.*
- 14BG [REDACTED] Form A was received, via agent, by e-mail on 26 March 2019. The Form A presented is dated 26 March 2019. *This parcel is affected by partial land take.*
- 14CF [REDACTED] Forms A were received, via internal mail on 27 March 2019. The Forms A presented are both dated 20 March 2019.

No Agent is advised as instructed/appointed on the Forms A. *These parcels are both affected by outright land take.*

- 14BG [REDACTED] Form A and Form B were received 4 April 2019; submitted by [REDACTED]. Also a Form A and Form B were received on 12 April 2019, submitted by [REDACTED] S.23(1). There are 3 registered owners for this parcel: [REDACTED] Redacted under Section 23(1) of the FOI Law 2015. Both the parties that have submitted forms live in the USA. Neither party has included an itemized claim. No professional representative has been advised on the presented forms. *This parcel is affected by partial land take.*

The Board reviewed the request and took the decision that the late claims should be entertained.

There were no claims for compensation.

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

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

No update given.

No update given.

6iii. Signage – Primary arterials

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

No update given.

No update given.

6iv. Board Members

Minutes of the 24th April 2019

Shena Ebanks – CHRO – was invited at 12:40pm.

The Chair invited the CHRO to attend the meeting to discuss the job description for the Managing Director's post. He also referred to the Public Authority's Law regarding the appointment of a new MD under sections 25 to section 28.

The Chair suggested that the Board should seek the services of a professional HR firm to conduct the recruitment. The firm should report to a team appointed to oversee the exercise. The Board agreed to this approach.

The Chair shared a drafted letter to the Minister & Chief Officer regarding the vacant position of the Managing Director. The Board reviewed and approved the letter. The Chair requested the ES to email the letter to the Minister & Chief Officer.

The Chair also shared a drafted e-mail to Ms. Glory McField who is head of the Portfolio of Civil Services requesting her to:

1. Evaluate the job description;
2. Assign a salary scale for the indicated post; and
3. To indicate whether her office will be able to provide some support in the recruitment process.

The CHRO left the meeting at 1:13pm.

Minutes of the 15th May 2019

The Chair confirmed he received the *NRA Financial Statement as of 31st December 2018* from the Office of the Auditor General (OoAG). However, there was a paragraph in the document that he felt did not accurately reflect the actions taken by the NRA in respect of the post-retirement health benefits liability. He had contacted the OoAG and an alternative worded had been offered which he felt was more accurate. The Board accepted the offer of the OoAG to revise the paragraph to the proposed wording.

The Chair also mentioned Mr. Adrian Murenzi, the auditor assigned to the NRA, would like to attend a meeting of the Board and present the ISA 260 report following the audit of the NRA.

The Board agreed that Mr. Murenzi should be invited to attend the next meeting on 29th May 2019.

Director Connolly mentioned that Breakers Road in the vicinity of Caribbean Haven is badly deteriorating.

Director Panton mentioned he received a call from S.23(1) claiming that he put in a bid for the D6 and was told that he won the bid. However, S.23(1) said it has been six months ago and nothing more took place. AMD and the Chair confirmed that the Board agreed that NRA was keeping the D6 and the D6 was not going to be auctioned.

Director Bodden questioned if we explored the options for the use of recycle paving mix and alternative paving methods. SPM confirmed we have not discussed this. He also confirmed that we do save and reuse the millings that we remove from the road and it would be up to Island Paving to seek those options and to prepare a proposal.

Director Walton mentioned he sent photos to members regarding the new section of asphalt that was just completed in Newlands next to property 27C. The sea raises and has started to deteriorate the base to the asphalt, he suggested putting ruff fill in this small area in order to save the asphalt that we just paved. The Board instructed to have it investigated first and possibly assist with the ruff fill.

Director Hydes mentioned the Minister is requesting an update on:

1. East West Arterial; and
2. Shamrock Rd widening.

SPM confirmed we are reviewing the cross-section of the proposed corridor on the EWA and the Board should be presented with the results at the next meeting.

On Shamrock Rd widening, SPM confirmed that the design should be finalised before the end of June. The plans will then be presented to L&SD for preparation of gazette plan and notice. The property valuation will be updated in parallel.

Director Stanley mentioned the school zone lights and signs. He suggested that we have a team during the summer:

1. Ensure the all trees or bush is cut back from the school zone signs;
2. Ensure all school zone signs are in place and if missing to have them replaced; and
3. Ensure the School zone flashing lights are working.

The Chairman mentioned that we have had the former MD's truck for sale with the initial price of \$31,999. The NRA has received an offer of \$25,000. The Board agreed to accept the offer and asked the AMD to get a quote for a double cab Toyota.

6vi. Miscellaneous

a. BP 138 - Farm Road – Request for water

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019

No update given.

No update given.

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

Minutes of the 24th April 2019

No update given.

Minutes of the 15th May 2019


No update given.


No update given.

7. Date of next meeting

The Board will hold regular meetings on 12th & 26th June 2019 and an extra ordinary meeting will be held on 19th June 2019 to consider the drafting instructions for the proposed legislative amendments and the CIG Anti-fraud Policy.

There being no further business, the meeting was adjourned at 12:06pm.

Signature 
 Chair of the Board
 Confirmation of minutes:
 Date: 26 June 2019

Signature 
 Executive Secretary
 Seconded: Confirmation of minutes
 Date: 26 June 2019.