

National Roads Authority
Minutes of the Seventy- Third Meeting of the Board of Directors
held at Reliable Industries Conference Room, 313 Compass Drive,
George Town,
Grand Cayman, Tuesday, October 14, 2008 at 1:00 p.m.

Present:	Errol L. Bush	Chairman
	Troy Whittaker	Deputy Chairman
	Steve McField	
	Gerard Pereira	
	Dane (Dean) Walton	
	Gary Rankin	
	Justin Wood	
	Carson Ebanks	Chief Officer (Min. CW&I)
	Troy Jacob	Nominee for Chief Officer (Min. CW&I)
	Ronnie Dunn	Nominee for Financial Secretary
	Brian Tomlinson	Managing Director
	Edward Howard	Deputy MD – Admin & Planning
	Paul Parchment	Assistant Director – Eng. & Operations
	Uche Obi	Senior Valuation Officer Lands & Survey – invited
Iain Franklyn	Valuation Officer Lands & Survey – invited	
Mark Scotland	MCM Consulting – invited	
Finley Josephs	PetroTech Ltd. – invited	
Ludomir Uzarowski	Golder Associates Ltd. – invited	
Gary Farrington	Golder Associates Ltd. – invited	
Lois A. Hall-Vaughan	Executive Secretary	
Apologies:	Peter Milburn	off island

- 1. Call to Order**
The meeting was called to order at 12:53pm.
- 2. Confirmation of Minutes**
The Minutes of the Meeting held September 30, 2008 were confirmed with a minor amendment on a motion moved by (Director Dane Walton) and seconded by (Director Gary Rankin).
- 3. Matters Arising**
See attached spreadsheet.

4. **New Business**

a. Claims for Compensation

Mr. Uche Obi was invited to discuss claims for which the following decisions were made:

i. Blk 28C Par 59 – (East/West Arterial)

Details of this claim were discussed as it was proposed by Mr. Obi that a land swap could be made in lieu of payment to satisfy the claimant. It was the Board's decision that a final design of the junction of the East/West Arterial Road at Hirst Road be done before a final decision can be made. Mr. Obi was directed to settle the claim in the normal fashion by paying compensation.

ii. Blk 28C Par 179

Details of this claim were discussed and Nominee Troy Jacob suggested that a survey be done to see if the land was taken and if taken then pay however if land was not taken then publish an Errata.

iii. Blk 71A Par 81

Details of this claim were discussed and it was the Board's decision to deny this claim as it was submitted outside the 90 day time frame stipulated in the Roads Law plus the required two (2) week grace period that the Board has recently been allowing.

b. Legal Opinion – Notification of Third Party Interest in Land

Mr. Iain Franklyn explained that Lands & Survey wrote to the Attorney General in regards to a third party's interest in land and who should be served notices when acquiring land for roads. Currently only registered land owners are served notices as required by The Roads Law. After much discussion the Board decided that only registered land owners are to be served notice as required by The Roads Law and in keeping with the advice from the Attorney General's office.

e. BP/PCM for making Water Cay Road a Public Road

The Dep. MD Admin & Planning with the aid of a map presented this proposal to the Board. It was suggested to gazette the public right-of-way over the eastern edge of parcel 33B – 167 as a public road. This is required to provide continuity to the public road system in this area. Furthermore, it was decided to not gazette the private right-of-way across the northern edge of the same parcel as this would probably require the payment of compensation and it is not needed to rectify any access issues.

- d. MicroPAVER Pavement Management Programme - MCM Consultants
A PowerPoint presentation was done by the consultants. It was noted that the basic purpose of this system is to achieve the best value possible for the available funds and to provide safe, comfortable and economical pavements. It also provides a consistent objective and systematic procedure for setting priorities and schedules, allocating resources and budgeting for pavement maintenance and rehabilitation. Examples of several roads in various conditions on the islands were shown. The most likely methods for improving these conditions were discussed with the consultants.

Four different preliminary budget scenarios were displayed which illustrated the minimum annual funding levels required to maintain the road system in Grand Cayman. This analysis suggests a minimum annual maintenance investment of approximately \$5.7 million is required to maintain the system. The Managing Director added that under the current budget, \$5.3 million is allocated under NRA 2 for maintenance and repair of roads. However, that appropriation is also used to pay for bush cutting, signs & lines, fleet maintenance, drainage maintenance, and to pay the electricity bill for the street lights. After paying for those items, only approximately \$800,000 is left for pavement maintenance and repair.

At the end of the presentation the Chairman thanked the consultants for the very informative presentation.

The remaining work by the consultants on this project includes producing a final report, installing the software and database on NRA computers, training NRA staff how to use the software, updating the database with work done by the NRA since the road inspections were performed in June, and then using this powerful tool to formulate budgets and maintenance strategies for future work.

5. **Other Business**

1. District Projects
Director S. McField suggested that it might be necessary for the Board to take a look at NRA projects around the island for the districts. A tour is to be organized to view the NRA projects and what needs to be done. It was noted that the Ministry has indicated they are going to provide the MD with a list of district roads to be done and the additional funding under NRA 2 to perform this work. The Ministry has also indicated they would like to widen the section of the Esterley Tibbetts Highway from the Butterfield Roundabout to the southern boundary of Camana Bay.

2. Appraisals for Managers
The Chairman has suggested that the review and appraisals for the MD, DMD, Admin & Planning and the Actg. DMD Engineering & Operations be conducted by a committee comprising of persons who sat on the initial job interviews. This committee is to be formed.
3. Hiring of Attorney re Injunction – Bobby Thompson Way widening
The Managing Director reported about the progress made on hiring an attorney to represent the NRA in lifting an injunction against us that was granted by the Grand Court in favour of the Equestrian Centre, represented by QC Ramon Alberga. The injunction prohibits the NRA and other named government parties from entering upon or the taking of any land from the Equestrian Centre for the purpose of constructing a road. It essentially prohibits the NRA from proceeding with the construction of a new roundabout at the intersection of Bobby Thompson Way and the Linford Pierson Highway. This is a vital link in the arterial road network.

Our corporate attorneys, Bodden and Bodden, refused to take the case because of a conflict of interest. Other attorneys including Samuel Jackson were contacted and refused on the same grounds. Finally, Diarmad Murray of Walkers agreed to take the case. However he encouraged the NRA to try to resolve the issue without going to litigation because it could be very expensive – he quoted a figure of \$100,000.

The Board discussed the matter. It was suggested that perhaps the NRA could hire Director Steve McField who is an attorney to represent the NRA in the matter. He suggested he could hire and instruct a QC from Jamaica at a very reasonable rate. The Board instructed the Managing Director to seek advice on whether hiring one of its board members would be considered a conflict of interest.

4. Paving of the Queen's Highway
Director Gary Rankin enquired if any of the Directors had traveled to the highway to look at the work that was being done. It was suggested that Board members took the time to view the various work in progress to see what is being done and to also boost the morale of the staff.
5. Slip road by Grand Harbour roundabout
Dep. Director T. Whittaker and Director Justin Wood requested a vote by the members for the reopening of this slip road that leads to South Sound to alleviate the heavy flow of traffic in the mornings. It was closed when the recent upgrades to Shamrock Road were completed. DMD Admin & Planning explained that the NRA engineers did not think it was wise to reopen it as it was a safety issue especially for vehicles with left hand steering exiting the road onto South Sound hence its closure. It was voted that the road be opened for a period of one month and a study be done

during this time to see if any accidents occurred or improvement in the traffic flow were observed.

6. District Signs

A picture sample of a proposed design for the district signs was shown by the Actg. DMD Engineering & Operations. The Board has requested more samples so that one can be decided on. This is to be done.

7. Discharge of water on roadway – Bodden Town

Director Justin Wood enquired if the NRA was aware of water being discharged by a private home owner on the roadway in Bodden Town. The NRA is to investigate and write the owner advising them to cease the discharge of water onto the roadway and to do so on to their own property instead.

6. **Next Meeting**

The next meeting is scheduled for Tuesday, October 28, 2008.

7. **Adjournment**

The meeting was adjourned at 5:15pm.

Signature
Board Chairman
Confirmation of Minutes – 14.10.08
Date: 11.11.08

Signature
Executive Secretary
Seconded: Confirmation of Minutes
Date: 11.11.08