

National Roads Authority
Minutes of the Eighty-First Meeting of the Board of Directors
held at Public Works Department Training Facility, 370 North Sound
Road, George Town,
Grand Cayman, Tuesday, May 12, 2009 at 1:00 p.m.

Present:	Errol L. Bush Troy Whittaker Justin Woods Dane (Dean) Walton Peter Milburn Gerard Pereira Gary Rankin Steve McField Carson Ebanks Troy Jacob Ronnie Dunn Brian Tomlinson Edward Howard Paul Parchment Mr. Corbin Dr. Fred Burton Uche Obi Denis Thibeault Lois A. Hall-Vaughan	Chairman Deputy Chairman Chief Officer (Min. CW&I) Nominee for Chief Officer (Min. CW&I) Nominee for Financial Secretary Managing Director Deputy MD – Admin & Planning Actg. Dep. MD – Eng. & Operations Managing Director, CI National Trust CI National Trust Senior Valuation Officer – Lands & Survey Dept. Assist. Director, Transportation & Planning Executive Secretary
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1. **Call to Order**
The meeting was called to order at 1:00 pm. by the Chairman.
2. **Confirmation of Minutes**
The Minutes of the Meeting held March 31, 2009 were confirmed on a motion moved by (Director Peter Milburn) and seconded by (Director Troy Whittaker).
3. **Matters Arising**
See attached spreadsheet.
4. **New Business**
 - a. Cayman Islands National Trust

Mr. Corbin, Managing Director and Dr. Fred Burton of the Cayman Islands National Trust attended the meeting to directly address the Board on the matter of the proposed extension of the East/West Arterial (to East End) going through the land (which is leased and cannot be sold or disposed of) slated for the rehabilitation of the Blue Iguana by the National Trust. Mr. Corbin entreated the NRA engineers to review the plan with the view of realigning the route. It was noted that the proposed route goes through land that has a number of indigenous flora, fauna and animals in need of preserving for eco-tourism.

Director S. McField advised that there is no provision in the law to de-gazette land that has been gazetted.

It was suggested by the Board that the members of the Trust, government and the private land owners adjacent to the land leased to the Trust discuss acquisition of land nearby which is not in the proposed route and if this is not successful then suggest that Government acquire the land (by compulsory acquisition) in the interest of the public.

The Chairman has requested NRA engineers to review this request with a possible solution. Dep. Director Admin & Eng. Ed Howard is to acquire information on how Section 26 came about in this case.

- b. Claim for Compensation – Blk14C S. 23 (1)
This claim for compensation (Stage 1 assessment) was reviewed and accepted to be paid (\$10,454.00) to the current owners.
- c. Claim for Compensation – Blk 13D S. 23 (1)
This is actually a request that access be allowed by the NRA to the Harquail Bypass. This request was denied as an alternate access is currently available to this land.
- d. Claim for Compensation – Blk 12C S. 23 (1)
This claim was submitted late by the previous owners who were off island at the time of the Notice and did not collect their mail in time. This claim was not accepted from the previous owners however a claim from the new owners would be accepted.
- e. Right to Compensation under the Roads Law (2005 Revision)
This was presented and discussed by Mr. Obi, Senior Valuation Officer, Lands & Survey Department.
- f. Road Gazettals - BP 463, PCM 227 & BP468, 3 Truncations in Prospect

The Board requested Mr. Denis Thibeault who presented this to the Board to acquire further background information on the BP's and PCM for the next scheduled Board Meeting.

In regards to the three (3) truncations in Prospect the Board agreed for them to be done.

g. Proposals from Private Sector for Improvements to Barnes Dr. & Sparky Dr.

The MD advised that National Concrete which is located on Sparky Drive would like to do a concrete surfacing of the road in the vicinity of the company. This would require the section of Sparky Drive by the company to be closed for approximately two (2) weeks for the work to be done. The MD met with the Board of National Concrete to discuss the possibility of using Barnes Drive (a private road which ends on the National Concrete compound) as an optional route for traffic during this period. The NC Board however did not agree with this proposal and the MD is to have further talks for a solution.

h. Annual Reports/Financials – 05/06, 06/07, & 07/08

These were presented to the Board by the MD for approval. Director Ronnie Dunn noted that there were no 'actuals' in the Ownership/Purchasing Agreement for the Fiscal Year 06/07 and the 'broad outcomes' for Fiscal Year 07/08 were not correct. He recommended that the Board not approve as requested but members review the Agreements and the noted corrections made after which the Agreements be presented again to the Board for approval. He will also review a few items with the Assist. Director of Finance.

5. **Other Business**

a. Blk 12C S. 23(1)

This was reviewed by the Board and it was suggested that the NRA advise Cabinet to purchase this property to close and vest.

Blk 11D S. 23(1)

The Board has requested Mr. Obi to enquire if the original claim made by S. 23(1) can be treated as two individual claims (i.e. the claim for land take and the claim for loss of revenue).

b. Claims for Compensation

It was noted by the MD that claims and services processed by Lands & Survey should be paid by the Ministry and not the NRA. The Board agreed. Future bills from Lands & Survey in relation to claims & services will now be forwarded to the Ministry for payment.

c. NRA – Health Insurance

The MD advised that to date no response had been received from the NRA's attorneys Bodden & Bodden to the query (sent April 8, 2009) made by the MD if the NRA acted illegally when it entered into a contract with its present Health Insurance provider Sagicor. Should the NRA have tendered the health insurance through CTC? It is noted that the NRA is currently trying to find out the type of contract it entered into with Sagicor. The Chairman advised that if the NRA acted illegally then it should go to tender as soon as possible. The contract with Sagicor will remain until this issue is resolved.

A sub committee consisting of Directors Gerard Pereira, Steve McField and Troy Whittaker will be in charge of identifying a new attorney for the NRA.

d. Cars for Sale parked on Crown Land

DMD, A&P Ed Howard is to advise Planning Department of the issue of 'For Sale' cars parked on crown land across the island. The MD will also advise the Police and the Department of Environment of this issue.

e. North Sound Rd.

Director Gary Rankin enquired on who governed the work done by the NRA in particular proposed work on North Sound Rd. This is regards to the paving that will be done which will raise the level of the road in regards to existing properties on this road. It was noted that there are varying heights on this road in regards to various properties. The DMD Eng. & Operations is currently working with the various property owners to find the best working solution relating particularly to drainage in this area. Retrenching work is expected to commence May 17, 2009 but this will be done as funds are made available.

f. Monument Rd. – Mijall Rd.

Director S. McField enquired on behalf of a resident on Mijall Rd. of works done recently in that area in particular to the incomplete drain that was done in front of the residence. He was advised by the DMD Eng. & Operations that the road was regarded specifically to slant away from the residence and the drain is to be completed shortly (capped). He also advised that the pond (which is Crown Land) located behind this residence is proposed to be cleared and formed as a basin to assist in the drainage of water which collects when there are long periods of rain.

g. NRA – Issues

Director Ronnie Dunn brought to the attention of the Board a number of issues/complaints re staff at the NRA. They are as follows:

- Caymanians being placed on fixed contracts

- Employee contracts being changed in the middle of the contract from monthly to bi-weekly (hourly)
- No training of middle level management re performance appraisals
- Does the HR Manager's post require a degree?
- Are complaints made re the current HR Manager kept of file?
- Is the employee who was granted a scholarship by the Board being prevented from attending school?

It was noted that:

- Caymanians should not be placed on fixed contracts but should have open ended contracts. Mr. Dunn requested a motion to change this and the Board agreed that Caymanians employed to the NRA are to be placed on open ended contracts as contract should not be altered for person coming over from government to the Authority. Performance Appraisals should also be done.
- A Contract cannot be changed from monthly to hourly in the middle of the contract as this is a serious breach of contract and is potentially a law suit. If an employee is not performing and warning letters have been issued with no improvement by the employee then the employee should be terminated. Any disciplinary actions taken should be brought to the attention of the Board. It was recommended that a monthly summary of hiring and firing (with Management's opinion and recommendation) should be done and presented to the Board.
- The training of middle management re performance appraisals can be done and is being looked into.
- The ad for the post of HR Manager was not available however it was noted that the current HR Manager does not have a degree in HR Management. It was also brought to attention of the Board by Mr. Dunn that it has been assumed that this particular employee has falsified documents. Mr. Dunn is to investigate this.
- Director R. Dunn is to investigate complaints made re the HR Manager being kept of file as it is a serious breach if they are not.

Delegation of responsibilities by the MD re being questioned Mr. Dunn stated and reviews and recommendations by Management (re appraisals) should be brought to the Board for decision. This is in light of the appraisal done for the current HR Manager in which a substantial increase in salary was granted as well as a company car.

- The MD advised that the recipient of the scholarship had requested that the NRA pay all school fees in advance and the NRA would not

pay it. However Director S. McField informed that this was the purpose of the scholarship as the recipient in requesting has specifically stated that they were unable to pay the fees, hence the NRA should pay the fees in full in advance. It was also stated that if there were differences in the matter it should have been brought to the attention of the Board.

It was noted that the MD needs to receive clear goals, guidelines and directives from the Board and this was not done. The Dep. Chairman T. Whittaker advised that this is currently being worked on.

It was also noted that Board Members need to take their responsibilities as members more seriously. Director G. Pereira recommended that each member draft areas that need guidelines, goals and directives to be compiled for review.

6. **Next Meeting**

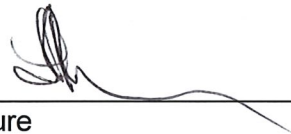
The date of next meeting will be advised by the Chairman.

7. **Adjournment**

The meeting was adjourned at 5:20pm.



Signature
Board Chairman
Confirmation of Minutes – 12.05.09
Date: 09.06.09



Signature
Executive Secretary
Seconded: Confirmation of Minutes
Date: 09.06.09