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**Minutes of the Three-Hundred & Seventy  
Meeting of the Board of Directors  
held via telephone conference call,  
on Wednesday 1<sup>st</sup> March 2023 at 10:00 a.m.**

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**Present were:**

Stanley Panton	Acting Chairman
Paul 'Andy' Bodden	Director
Heidi Hunte-Webster	Director
Kelvin Dixon	Director
Dane Walton	Director
Decia Foster	Director
Edward Howard	Managing Director
Faith Powery	Executive Secretary
Tristan Hydes	Director, Designate of Chief Officer, PAHI (ex officio-non-voting)

**Apologies:**

Peter Campbell	Director
Dominique Williams	Director

**1. Call to Order**

It was resolved that, notice of the meeting having been circulated to all directors and that, a quorum being present, the meeting was duly constituted.

**2. Ratification of Previous Minutes**

It was resolved that the minutes for November 9<sup>th</sup> 2022, be approved, confirmed and ratified with such grammatical and other changes as discussed in the meeting.

**3. Special Project Manager (SPM) Contract Renewal**

MD Howard brought a request to the Board in regards to a contract renewal for SPM Scotland. It was noted that the contract period was from February 8<sup>th</sup> 2022 to February 8<sup>th</sup> 2023.

MD Howard noted the key aspects for the consulting services being provided by SPM Scotland is providing project management services on all capital works projects.

SPM Consulting fee is \$70 per hour, which is below market price.

A motion was moved and the Board unanimously supported and approved the consultant fee of up to CI\$80,000.00 per year, with the provision that the MD can request a revision of the SMP's contract, should the scope of work increase.

#### 4. Lands & Survey presentations of claims

The Acting Chairman welcomed Lands and Survey to present all Claims and intent to Claim.

##### **Late Intent to make a claim for compensation- Block S. 23 Parcel S. 23 – Boundary Plan (“BP”) S. 23 Redacted under Section 23**

A Notice of Intention to make a claim for compensation for the road-widening scheme, was received by the Lands & Survey Department on the 26<sup>th</sup> January 2023, in relation to Block S. 23 Parcel S. 23. The Registered land owner is Redacted under Section 23.

Under the Roads Law (2005 Revision), anyone having an interest in the affected land must submit a Notice of Intention to Claim no later than ninety days after the declared day. The declared day for BP S. 23 was 29<sup>th</sup> August 2022, and thus the deadline for receipt was 26<sup>th</sup> November 2022.

There was a delay in the Lands and Survey Department being notified of the Gazette being published, therefore the letters were only sent 15<sup>th</sup> November 2022, 11 days prior to the deadline for the receipt of the Form A. It has also become apparent that the land owners address detailed on the Land Register is incorrect, therefore they did not receive the gazette notice.

The Board unanimously agreed to accept the late claim.

##### **Claim for Compensation on Block S. 23 Parcel S. 23 Redacted under Section S.23**

BPS. 23 and BPS. 23 published on 11<sup>th</sup> September 2020 and 26<sup>th</sup> August 2020, indicated that 0.16 acres (8,712 square feet) and less than 0.01 acres were to be acquired from the section of the parcel adjoining Crewe Road. Therefore, the total are acquired from the parcel was approximately 0.17 acres.

On the declared day, the parcel was located at the corner of Crewe Road and Edgewater Road by the Hurley’s roundabout. It had an area of 1 acre (43,650 square feet), was undeveloped and zoned Neighbourhood Commercial.

On 8<sup>th</sup> February 2023, Lands and Survey received an email from the claimant’s agent indicating that they would accept C1\$ S. 23 (C1\$ S. 23 per square foot) as compensation for the land taken.

Having regard to the fact that this claim was straightforward, Lands and Survey was of the opinion that the amount claimed for professional fees in the amount of C1\$ Section 23, is high. They have assessed the fees at C1\$ S. 23

The Claimant elected for a two stage assessment, 75% of the agreed compensation would be paid now if the NRA Board accepted Lands and Survey recommendation.

The Board unanimously agreed to accept the claim in the amount of C\$[Section 23] and for the professional fees of C\$[S. 23], as recommended by the Lands and Survey Officer, to be paid in a two stage assessment, with 75% of the agreed compensation to be paid now.

**Claim for Compensation on Block [S.23] Parcel [S. 23] – [Redacted under section 23]**

Previously, (Special Board meeting of August 17<sup>th</sup> 2022) Lands and Survey was instructed by the Board to make an offer of C\$[Section 23] to the Claimant. The offer was rejected by the claimant.

On 12<sup>th</sup> January 2023, the Board received an email from the claimant with a counter offer of C\$[Section 23]

The Market Value of the land, based on [Section 23] Valuation is C\$[Section 23]

The Board directed the Director of Lands and Survey to advise the Claimant that his claim for C\$[Section 23] was rejected. However, the Board has approved a full and final settlement offer in the amount of C\$[Section 23]. It was also noted that if this final settlement offer from the Board was rejected, the Board would likely refer the claim to the Assessment Committee.

The approved offer consists of the following and subject to the Claimant providing invoices as requested by Lands and Survey:

- C\$[Section 23] – Market Value of Land
- C\$[Section 23] – Architectural Fees
- C\$[Section 23] – [Section 23] building construction business budget plan
- C\$[S. 23] – [Section 23]
- C\$[S.23] – [Section 23]
- C\$[Section 23] – [Section 23] Compensation
- C\$[Section 23] – [Redacted under S.23] (to be paid by [Section 23])

**Claim for Compensation on Block [S.23] Parcels [S.23] and [S.23] and Block [S.23] Parcel [S.23]**

Lands and Survey noted that the original sum claimed by the owners of [Section 23] was C\$[Section 23] for the land taken, whilst Lands and Survey were of the opinion that the market value of the land taken was C\$[Section 23]. However, before this matter could be presented to the Board, the claimants decided that in lieu of any monetary compensation, they would prefer replacement land in the same area.

The Ministry of PAHI and Lands and Survey met with the Claimants and their Agent on several occasions, and following numerous proposals and substantial correspondence, Lands and Survey finally reached an agreement as follows:

Redacted under section 23

– Block Section 23 & S. 23

- Land compulsory acquired from Section 23 subject to s. 23 approximately 2,029 SF
- Land Compensation Proposal approximately 10,029 SF consisting of:
  - Land swap – Give back on Section 23 (approximately 2,029)+
  - In lieu of the monetary compensation of demolished buildings on S. 23 S.23 : approximately 8,000 SF (CIS.23 PSF)

Section 23

- Block Section 23

- Land compulsory acquired from Section 23 subject to Section 23 approximately 4,356 SF
- Land Compensation Proposal approximately 14,385 SF consisting of:
  - Land Swapped from Section 23 10,029 SF+
  - Land Utilised by CIG 4,356SF

It is proposed that the Lands and Survey Department will undertake a Survey and re-parcellation of the proposed reconfiguration.

As previously approved by the Board, the NRA would be responsible for the demolition & clearance of the two buildings on Section 23 (Redacted under section 23. A), subject to giving the claimant a minimum of 1 months' notice.

In addition to the interim fee payment of CIS.23A to S.23a, detailed in the letter dated 19<sup>th</sup> January 2021, Lands and Survey confirm that s. 23 proposed fee for additional professional services rendered thereafter is CIS.23.A which Lands and Survey consider reasonable.

The Board unanimously approved the outlined proposals to settle the claims for S.23 A Section 23. A and Section 23. A.

#### Compensation Claim for S.23 Parcel S23 Section 23. A and Section 23. A

On 11th September 2020, a Section 3 notice was published indicating that approximately 0.06 acres (2,614 square feet) was to be acquired from the subject property for the widening of Shamrock Road in Red Bay.

On the declared day, the subject parcel had an area of 0.60 acres (26,136 square feet) and had been developed with a two-storey building comprising 4 X 2 bedroom apartments. It had a road frontage of 90 feet and the building was 100 feet from the road.

The amount claimed was CIS.23 A comprising the following figures: -

Market Value of the land – CIS.23 A

Crops and Trees – CIS.23 A

Severance – CIS.23 A

Loss of profits – C\$Section 23. A

Other Costs – C\$Section 23. A

Following negotiations with the claimant, the claim has been agreed at C\$S. 23 A plus the cost of erecting a wall in front of the parcel and paving the entrance of the driveway.

Regarding the professional fees associated with this claim, Lands and Survey are yet to receive an invoice fromSection 23. A. Lands and Survey recommend that compensation is paid to the claimant and the professional fees is dealt with separately.

Although the claimant has elected for a two stage assessment, Lands and Survey recommend that the claim should be settled as a one stage assessment.

The Board unanimously approved the compensation claim of C\$Section 23. A plus the erecting of a wall in front of the parcel and the paving the entrance of the driveway, as a one stage assessment.

## **5. Project Updates**

SPM Scotland gave the Board updates on following projects:

- East-West Extension to Woodland
- East-West from Woodland to Frank Sound
- East-West Arterial- widening to 6 lane by Poindexter roundabout to Hirst Road
- Shamrock Road 6 lane widening
- CUC roundabout/Kings Connector
- Airport Connector Road
- Access to 19E-40-Burkes Property
- National Housing Development Trust
- Godfrey Nixon Extension
- McField Lane Upgrade
- Seaview Road/Frank Sound road intersection
- Frank Sound/Queen's Highway/Old Robin Road
- Bodden Town Hurricane Shelter Parking lot
- Long Term Mental Health Facility

The Acting Chairman requested, that if possible, an additional crew could be added on the Rex Crighton Boulevard project to speed up the process of widening the two lanes from the Poindexter roundabout to Hirst road, as currently there is a back-up of two lanes of traffic from Chrissie Tomlinson roundabout to the Poindexter roundabout during the afternoon commute.

## **6. Matters Arising from Previous Minutes**

**Post-Retirement Funds-** MD Howard to gather and to follow up with the placement of funds for the Pre-NRA employees that transferred from Public Works Department as of 2004.



The MD advised that he is continuing discussions with other Statutory Authorities and has had discussions with the Financial Secretary and the Public Service Pension Board.

**Media & MD Appearance** – MD Howard has been requested to give the Board a communication plan for the remainder of 2023, by the 19<sup>th</sup> of April 2023.

**Grand Harbour Study** – MD Howard to circulate the final draft document regarding the Grand Harbour Study, to the Board and the Ministry of PAHI.

**Savannah Sidewalks** – MD Howard noted that he wrote, as directed, by the former Chairman to the Attorney General Chambers regarding whether a breach occurred based on the Board's Communication Policy, with respect to the request from the Savannah MP for works to be done on the sidewalk in front of the Savannah Plaza.  
MD Howard advised the Board that Legal declined to offer an opinion on the matter.

The Acting Chairman reminded everyone that this matter was outstanding from the Board meeting of November 9<sup>th</sup> 2022. Therefore, this Board Meeting Minutes should reflect a resolution to this matter. Director Panton went on to ask MD Howard if, (upon reflection of the circumstances surrounding this matter), he was willing to accept that a breach of the Board's policy had occurred.

MD Howard responded, that now, having reviewed all the circumstances surrounding this matter, he fully accepts that the Board's Communication Policy was breached. He further went on to explain the circumstances that led to this breach occurring. The Board having accepted MD Howard's explanation, unanimously agreed that no further action be taken in regards to this matter.

MD Howard was directed by the Board to request from the Attorney General Chambers a legal opinion on the wider subject, of who is responsible for the maintenance and repair of sidewalks, whether said sidewalks are on private or public owned property.

**Hiring of the Deputy Managing Director (DMD)** – MD Howard will circulate the current DMD job advertisement to the new Board Members.

It was agreed upon by the Board that the Human Resources function for the recruitment of the DMD, would be handled by the Ministry's Human Resources Department.

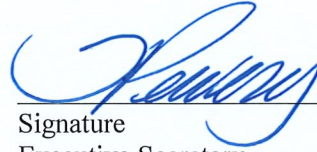
7. **Date of the Next Meeting**

The Chairman noted that the next board meetings will be held on March 22<sup>nd</sup>, April 5<sup>th</sup> and April 19<sup>th</sup> 2023.

There being no further business, the meeting was adjourned at 2:55 p.m.



Signature  
Chairman of the Board  
Confirmation of minutes



Signature  
Executive Secretary  
Seconded: Confirmation of minutes

