

National Roads Authority
Minutes of the Ninety-Fourth Meeting of the Board of Directors
held at Public Works Department (PWD) Training/Conference
Room,
370 North Sound Road, George Town, Grand Cayman,
Tuesday, July 20, 2010 at 1:00 p.m.

Present:	Troy Whittaker	Deputy Chairman
	Steve McField	
	Justin Bodden	Director Ex-Officio
	Darrel Rankine	
	Ms. Levonne Ryan	
	Mrs. Pearlina McGaw-Lumsden	
	Ronnie Dunn	Designate Director for Financial Secretary
	Tristan Hydes	Designate Director – Min. DAW&GA
	Brian Tomlinson	Managing Director
	Edward Howard	Deputy MD – Admin & Planning
Apologies:	Graham Wood	HR Consultant (invited)
	Mrs. Lois A. Hall-Vaughan	Executive Secretary
	Colford Scott	Chairman
	Brian Ebanks	
	Mrs. Christine Maltman	
	Barry Martinez	
	David Fawcitt	Designate Director – Min. DAW&GA
	Paul Parchment	Actg. Dep. MD – Eng. & Operations

1. **Call to Order**
The Meeting was called to order at 1:20pm by the Deputy Chairman in the absence of the Chairman who is currently off island.
2. **Confirmation of Minutes**
The motion for the acceptance of the Minutes of Meeting held June 08, 2010 was moved by Director R. Dunn and seconded by Director S. McField. The motion for the acceptance of the minutes was approved and accepted by the Board.
3. **Matters Arising**
 - a. **Linford Pierson Highway extension/Bobby Thompson roundabout**
Director S. McField who is currently working with the MD in getting the injunction regarding this project lifted, informed that he had liaised with

the Attorney General (AG) on how to proceed with this issue. He was advised by the AG to put the NRA as defendant. A letter has been sent by the AG to the Courts requesting that he the AG be taken off the case as defendant and the NRA be placed as defendant instead. The MD had suggested negotiating a settlement but the AG advised to wait until the matter is heard in court. Director S. McField is currently waiting on the issuing of summons for the case then he will prepare a file with the NRA as defendant in the case. He also to meet with engineers of the NRA to discuss reasons e.g. traffic for lifting this injunction.

It was noted that Director S. McField is now acting on behalf of the NRA in this matter. This was agreed on by the Chairman and the MD as per letter from the director requesting permission to do the service.

On another note the material for this project is currently at the NRA stockpile and will be used for this project only.

b. Widening of Elgin Road

A meeting is scheduled for Friday to review the plans for this project and a diagram will be circulated to Board members after this review. MD informed that the Section 3 notice has been done and the project is expected to be gazetted possibly in the next issue of the Gazette. Dart's Nursery has been contacted in regards to the pruning and relocation of trees in the area and this will be done as required.

In regards to the widening of the road it is anticipated that sections of properties i.e. Humber Lane/Elgin Avenue intersection, by the new Walkers building, CNB and the southeast corner of the intersection of Hospital Rd./Elgin Avenue will have to be acquired.

It was noted by the MD that \$2M is budgeted this year for roadwork in GT and it is likely that it will not all be used, therefore work on Humber Lane could be done out of this allotment. The NRA is looking at possibly making Humber Lane a one-way.

The current flooding in the area of Cricket Square on Elgin Avenue is to be addressed by the NRA.

4. Other Business

a. Former HR Manager – Closure

Reference is made to Minutes of Extra Ordinary Meeting held October 21, 2009 in which it was noted that the criminal actions of the former HR Manager were to be reported immediately by the NRA and Minutes of Meeting held February 09, 2010 in which the MD was instructed to forward to the Immigration Department and RCIP the complaint letter re unfair dismissal from the former HR Manager and the copy of the letter allegedly forged by the former HR Manager. The MD informed that letters were sent to the Immigration Department and the Financial Crime Unit of the RCIP. Members of the Crime Unit had two meetings with the DMD Eng. & Administration and emailed the following response:

Re: S.23 (1) of the FOI and allegation of forgery

Further to our earlier conversation, I write to confirm that upon completing my investigation into the allegation of forgery made against S.23 (1) on 16th February 2010 coupled with the submission of my report, the Cayman Islands Government Legal Department has ruled that no further action should be taken in this matter.

Please be advised that while there is evidence to support the allegation of forgery, there is insufficient evidence to support malice or dishonest intent. The investigation also took into consideration other factors relating to the relationship of both parties and the circumstances leading to the initial report and the subsequent report received from the National Roads Authority. S.23 (1) subsequent dismissal from the authority is also a factor which influenced the decision arrived at. Both the complainant, Ms Bodden and the accused, S.23 (1) has been informed of the ruling and unless any new information comes to light this investigation is now closed.

Should you have any further questions with respect to the investigation and the ruling please do not hesitate to contact me.

Yours sincerely,

S.23 (1)

DC

Financial Crime Unit

Royal Cayman Islands Police Service (RCIPS)

With this information provided by the RCIP the Deputy Chairman indicated that the matter is now closed.

b. NRA Budget FY2010 - 11

Copies of this document were circulated to members by the MD for review and discussion. The MD is to send re EA36 a list to the Ministry for review. It was suggested that the NRA mark up on material and sub contracting and lower its labour markup when doing up bills for submission to the Ministry. It was also suggested that the NRA charges the Planning Dept. for services rendered. **Amendment to include "The budget was unanimously approved and the MD is to circulate the NRA's 2010/11 objectives".**

c. 08-09 NRA Ownership Agreement & Annual Report

Copies of this document were circulated via email prior to the meeting to members for review and approval. It was noted that the format of the document complies with what is required for the report. It is suggested that the NRA follow up on the submission of the Report to the Ministry to ensure that it is submitted to Parliament to be laid by the House. The report was accepted by the Board for submission to the Ministry on the recommendation of Director R. Dunn.

d. 07-08 NRA Ownership Agreement & Annual Report

Copies of this document were circulated via email prior to the meeting to members for review and approval. It was also note that the format of the document compiles with what is required for the report, however

the wording on Page 2 of the document needs to be reworded to be more specific. The report was accepted by the Board for submission to the Ministry on the recommendation of Director R. Dunn who reminded management to follow up on it once it is submitted to the Ministry to ensure that it is forwarded to Parliament to be laid by the House.

e. **HR Report / HR Consultant – Redacted under S. 23(1) of the FOI Law – Contract**

Copies of this report done by S. 23(1) of the FOI Law were circulated prior to the meeting via email to the members for review.

The need for Performance Appraisals was questioned and Mr. Wood in response emphasized its importance as it enables staff to know what is expected of them, sets goals, has competency frameworks, enables staff to move forward and it cannot be separated from the other entities of HR e.g. talent management and recruitment & selection.

It was noted that some appraisals were done under the former HR Manager in particular for the Assistant Director of Finance (AD of F) who received a significant increase in salary and changes made to the Job Description. In regards to these changes it was noted that no recommendation for the changes was presented to the Board and the Board should have knowledge of this.

S. 23(1) advised the need to review the current structure of the accounting department and that the contract of the AD of F would soon expire (December 2010). It was noted that the directors did not want this position to be 'tailor made' as it will soon be advertised and if the wording of the requirements for the post is changed it needs to be reviewed and verified by the Board prior to sending out the advertisement.

Although there is no set timeline S. 23(1) advised that recruitment for the post has to be done and steady progress is being made in getting the Job Description properly written, contracts properly done and implementing guidelines and procedures for Performance Management. Skills need to be checked, as it was noted that foremen and line managers have not done performance management before and training needs to be done. It is also essential that the NRA complies with the Labour Law in that Job Descriptions and contracts are done for all employees of the NRA before anything else.

In response to the query would the NRA function without a HR Manager in place S. 23(1) informed that a good manager can apply the various policies and guidelines once completed and it would be good to fully engage the services of an HR Manager, however suggestions were welcomed in how to deal with the absence of a HR Manager. This is to be reviewed further.

At this point S. 23(1) was requested to leave the meeting as the matter of the request of an extension of his contract was to be discussed.

It was suggested that S. 23 (1) be granted a three (3) months extension although it was thought that six (6) months was a realistic request in light of what still needs to be done. He would be advised that he is required to deal with urgent matters e.g. Job Descriptions, contracts and policies and procedures to be completed in this timeframe.

It was noted that the unifying of sections such as the accounts and HR departments of PWD and NRA was considered by the Ministry when the decision was made to relocate the NRA back to the PWD compound.

It was also suggested that a four (4) months extension be granted with a recommendation on either to hire a new HR Manager or utilize existing staff to be presented at the next meeting.

It was agreed that the position be evaluated at three (3) months with monthly updates provided on job descriptions, contracts, the training of current HR staff, the possible recruiting of a HR Manager and the developing of guidelines, policies and procedures.

Members were informed that a request is made for the extension of Mr. Peter Ogden's contract which is to expire in September 2010. The reason for this request was queried and members were informed by the MD that two (2) staff members Edison Jackson and Brian Chin-Yee both have the potential (Brian to take over from Mr. Ogden and Edison to conduct explosives) but needs coaching. Mr. Ogden daily gives advice on various engineering matters and he has been a great mentor to young engineers currently doing projects. He is currently reviewing the Explosives Law and the Regulations that govern it as the technology and storage of explosives has changed, hence the need to review and recommend amendments to these Laws. The MD informed that this could be completed in the next six (6) months.

The Board agreed not to grant this extension request however Mr. Ogden could be retained to specifically complete the task to review and recommend amendments to the current Explosives Law and the Regulations that govern them.

f. Staff requests

The following items were forwarded to the Personnel Subcommittee for review and to make recommendations to the Board for final decision.

- Request for full maternity leave pay – S. 23(1) of the FOI Law 2015 S. 23(1)
- Financial assistance for school – Masters in Accounts – S. 23(1)
- Financial assistance – health insurance – S. 23(1)

The committee has requested information from the Assistant Director of Finance in regards to the availability of funds and from the DMD in regards to HR matters. The committee will make recommendations

when the information is received and submit to the Board for discussion and possible decision at the next meeting.

5. **New Business**

a. **Issues re street lights, cat eyes etc.**

It is noted that on sections of this road by the Savannah area some of the street lights are either blocked by overgrown trees or not working at all. The road lines are also almost invisible.

The cat eyes for the bicycle lanes are needed on the East/West Arterial.

A drain is needed on Fig Tree Drive also the possible regrading of the road to properly and effectively channel the water to the drain.

These are to be dealt with by the NRA.

b. **NRA Draft Accounts**

The MD informed that the draft accounts for the year end will be ready this Friday. Director R. Dunn advised that he will review it on his return from vacation and it will be done in time for submission to the Auditor General. In regards to accrued rent owed to PWD he suggested for the MD to liaise with PWD to discuss whether this should be paid or not.

c. **Blasting – Cayman Brac**

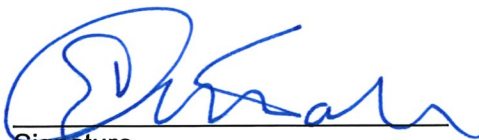
Director J. Bodden from C. Brac queried on the issues of blasting in Cayman Brac as it is affecting home owners i.e. flying rocks and cracks in houses. The MD advised that Edison Jackson currently oversees any blasting taking place in Grand Cayman and records the required data. This has eliminated at least 90% of complaints from the public and it is possible that the same could be done for the Brac. It was suggested that a fee be charged for blasting inspection.

6. **Next Meeting**

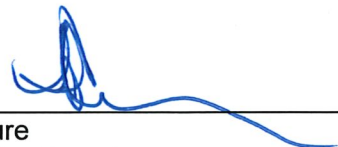
The next meeting is scheduled for August 10, 2010.

7. **Adjournment**

The meeting was adjourned at 4:00pm.



Signature
Deputy Chairman of the Board
Confirmation of Minutes – 20.07.10
Date: 10.08.10



Signature
Executive Secretary
Seconded: Confirmation of Minutes
Date: 10.08.10