
National Roads Authority
Minutes of the Two Hundred & Thirtieth Meeting
of the Board of Directors
held in
NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 6th September 2017 at 9:30 a.m.

In attendance were:

Donovan Ebanks	Chairman
Gary Clarke	Deputy Chairman
David Arch	Director
Stanley Panton	Director
Kenross Connolly	Director
Paul Bodden Jr (Andy)	Director
Dane Walton	Director
Charles Brown	Observer - Ministry CPI
Tristan Hydes	Director Designate of Chief Officer, Ministry CPI
Paul Parchment	Managing Director – NRA
Edward Howard	Deputy Managing Director
Priscilla Jackson	Administrative & Operations Assistant

Invitees:

Ruth Massarella	Sr. Valuation Officer – Lands & Survey Dept.
Mark Scotland	Senior Project Manager - NRA

1. Call to Order

The Chairman called the meeting to order at 9:57am.

2. Minutes of Previous Meetings

- a. 16th August 2017 – confirmed and signed off
- b. 23rd August 2017 – confirmed and signed off

3. Administration

3i. Proposed Legislative Review

Minutes of 10th August 2017

Not considered.

Minutes of 16th August 2017

Not considered.

Minutes of 23rd August 2017

Not considered.

Members agreed to an Extraordinary meeting on Wednesday, 13th September 2017 to consider the new Public Authorities Law and the proposed changes to the NRA law and Roads law.

3ii. Operational Performance Report – 01 April – 30 June 2017

Minutes of 26th July 2017

Members are to review the Operational Report for the next meeting.

Minutes of 10th August 2017

Not considered.

Minutes of 16th August 2017

Not considered.

Minutes of 23rd August 2017

The Chairman reminded members to review this for discussion at the next meeting.

Members had no comments or concerns regarding the report. MD stated the report would remain in the same format and be next produced at the end of September. The Chairman requested that the CFO produce financial reports as of the end of August and end of October 2017 as we approach the end of the financial year.

3ii. 2018 – 2019 Budget Preparation

Minutes of 16th August 2017

The MD presented the latest proposals by NRA management:

NRA 5 Planning and Development of New Public Roads

Operations Modelling: As our model will not be completed until the end of next year, the Chairman suggested that while we are waiting, smaller scale studies should be completed e.g. Tomlinson to Silver Oaks as well as other smaller areas.

NRA 6: District Roads

The Chairman suggested the MD revisit the numbers in order to justify the proposed allocations.

NRA 8: Storm Water Management

Figures are to be consolidated.

NRA 9: Maintenance of Roads – Grand Cayman

MD advised the figures were compiled based on the 2016 budget.

NRA 10: Street Lighting – Grand Cayman

These figures indicate the reduce rates and has also included factors for light change and fuel costs.

EA 36 – Miscellaneous Road Surface Upgrades

MD to adjust figures to include Eastern Ave. need to have the design ready for the roadworks before adding to budget.

Director Clarke made suggestions on the overall formatting of the document.

The Chairman spoke to suggested changes in the district road programme based on the road condition index, PCI. He also showed an index of *the value of work proposed for 2018-2019 vs. the total value of work currently needing to be done*. The Board agreed that it wished to present proposals that were objective.

Members queried the timeline for reviewing the revised budget and the MD advised he would made the amendments and send via email later today.

Minutes of 23rd August 2017

The MD advised he made adjustments as recommended by members.

Director Hydes has confirmed the budget was still being reviewed by the Ministry. He expressed his optimism that it would include EA's of approx. \$9M for 2018 and \$11M for 2019.

3.iv Funding – Post-retirement health benefits

Chairman shared a draft letter to the Minister requesting that he consider amending the NRA law to allow an additional \$1.5M of funds to be transferred to the NRA from the Road Fund to address the post-retirement healthcare liability of the NRA as per the reports produced by MERCER. Members supported this letter being sent to the Minister by the MD.

4. Planning

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

Minutes of 16th August 2017

The Chairman advised members he had reached out Sr. Crown Counsel on 11th August 2017 to advise her that the draft that was circulated to members on 7th August 2017 with regards to the response to Chapmans was approved by members during the 10th August meeting. He requested that Sr. Crown Counsel communicate the information to Chapmans and ascertain whether they wanted to meet with us and if so when.

Having received responses from members regarding the revised offer to the First Assembly of God Church, the Chairman advised he would communicate the decision to Sr. Valuation Officer Ruth Massarella within the next 24 hours. She can then communicate the decision to the proprietors.

Minutes of 23rd August 2017

Blk 20D Parcel 413 – Sr. Valuation Officer Ruth Massarella had been authorised on 17th August 2017 to make the offer to the FAoG Church as decided on 10th August and confirmed by the Board on 16th August, viz: \$100K inclusive of the additional costs but excluding professional fees. The SVO circulated the memo of 10 August 2017 (date in error) indicating that the FAoG Church had provided explanations and for the CI\$9,964 of additional items and was requesting that the Board re-consider this amount in addition to the \$100K offered. The Board reaffirmed its earlier decision to offer **CI\$100,000 plus professional fees of CI\$4950.**

Blk 20E Parcel 233 – Euleta Flores – Sr. Valuation Officer Ruth Massarella circulated a memo of 22nd August 2017 with regard to the claim by DDL obo the proprietor setting out L&SD's recommendations. The board advised the SVO to make an offer as listed below and revert to board.

a. Market Value of land already taken (amenity value as garden land only)	CI\$5.00psf - \$1420 or similar area of land
b. Injurious Affection	5% based on a MV of C\$715,000 = CI\$35,750.00
c. Other costs	Replace wall of Blk 20E 233 (the parcel affected) and install guard rail
d. Trees and crops	NRA has confirmed that they have not and will not destroy any trees. The NRA will relocate several palm trees as part of the accommodation works.
e. Professional fees	DDL's fees @ CI\$150 per hour.

Blk 20E Parcel 233 – Euleta Flores – Sr. Valuation Officer Ruth Massarella suggested that the Board reconsider their offer of 5% of the market value (MV) for injurious affect (IA) and perhaps raise it to 7% as offered to the FAoG Church. Members agreed to offer 7% of MV or CI \$50,050.00 but refused to entertain the cost of replacing windows as a separate item. The Chairman requested the SVO to communicate decision to land owner.

The Chairman advised that as of 04th September, Sr. Crown Counsel had not had a response from Chapmans re. the 'without prejudice' meeting.

4ii. Esterley Tibbetts Hwy widening – compensation matters

Minutes of 10th August 2017

The Chair reported that member S. Panton, Dep. Chair G. Clarke and himself along with Sr. Crown Counsel D. Lewis, Sr. Valuer R. Massarella, MD P.

Parchment and SPM M. Scotland had met with the Dilberts, their attorney S. Jackson and their consultant O. Uchi on 09th August 2017 (minutes pending).

The NRA proposal to provide a deceleration lane over block 14C, parcels 43, 18 and 49 exiting onto Webb Rd and providing direct access to block 14D, parcel 83 had been rejected. The proposal assumed that the owners of block 14C, parcel 83 and block 14C, parcel 440 would be willing to collaborate on an arrangement for the former to provide access to the latter but the owners of block 14d, parcel 83 had refused to participate in such an arrangement.

The owners of the parcels had tendered a sketch proposal which would involve them meeting the cost of paving a portion of the future third lane to serve as a deceleration/acceleration lane for a shared access from the ETH at the boundary between block 14C, parcel 83 and block 14C, parcel 440. The owners had suggested that such an access would be no different from that afforded to Camana Bay from the new ETH immediately north of the tunnel.

While Camana Bay had secured access points to the ETH through formal agreements, and notwithstanding that the Board did not look favourably on the layout of some of those accesses, the Board resolved that it was not prepared to extrapolate those provisions to properties which had no right of access to the ETH. The Board took the decision to review the claims for compensation by the proprietors of the parcels and make a revised and final offer of compensation without any provision of access to the ETH.

The Board considered the *Summary of Claims and Considerations - Block 13D, parcel 83 (A/C Accessories) and Block 13D, parcel 440 (Distillery), 09 Aug 2017*, produced by Sr. Valuer R. Masserella (copy attached) and agreed to make the following final offers:

Block 13D, parcel 83:

Options 2 (\$48,031) or Option 3 (\$16,675 + 1,472sf of land from adjacent block 14C, parcel 43); and

Block 13D, parcel 440:

Option 2 (\$51,204).

It is estimated that professional fees for each property will be approx. \$4,500.

The Board reconsidered a claim from Palbert Holdings Ltd. in respect of block 13D, parcel 434 (BP 593 – ET Hwy) based on a memo of 07th August 2017 from L&SD.

The Board approved payments of:

\$37,026 for land taken;
\$4,761.25 for disturbance; and
\$1,612.50 for professional fees.

Minutes of 16th August 2017

The minutes of the 'without prejudice' meeting with the Dilbert's and their legal and property valuation representatives were circulated.

Having reviewed those minutes and the minutes of the Board of 10th August 2017, the Board confirmed its decision to offer only compensation to the owners of Block 13D, parcels 83 and 440. The Chairman advised that he would communicate with Sr. Crown Counsel and advise her to inform the parties of the decision.

Director Hydes expressed his concerns regarding the roundabout at Camana Bay and the first access point into Camana Bay as well the access off the Galleria roundabout. Concerns were also raised on the second access which members explained was dangerous, having to come off a three (3) lane roundabout and make an abrupt turn into Camana Bay. Members were advised that Special Projects Manager Mark Scotland had already conveyed to Camana Bay that the access points had to be closed in the interest of safety. The MD advised members they had previously approved the access points. The Chairman stated that in the interest of safety the access points had to be reviewed and instructed the MD to supply the minutes and plans that were previously approved Board members.

Minutes of 23rd August 2017

The MD advised while he had conducted some research he was unable to pinpoint the minutes when the Board had approved the access points for Camana Bay. He will provide what he is able to find at the next meeting.

Blk 13D Parcel 83 – Cleveland Dilbert - Sr. Valuation Officer Ruth Massarella informed the Board that DDL Studio (Obe Uchi) had written to the L&SD on 29th August 2017 o.b.o. block 13D, parcel 83 in response to the offer conveyed by Sr. Crown Counsel D. Lewis to JacksonLaw on 18th August 2017. The proprietor was willing to accept the financial compensation at the price of \$18psf rather than an equivalent area of land adjacent to the property, but also wanted 700sf of land with the financial compensation. She circulated a memo dated 5th September 2017 in regards to the response. The board reaffirmed that the offer for Option 2 (CI \$48,031.00) was the last offer and advised SVO to communicate this to DDL.

Block 13D, parcel 440: Option 2 (\$51,204). SVO confirmed that the L&SD had not received any response i.r.t. this property and the Chairman advised that Sr. Crown Counsel D. Lewis had also indicated the previous day that no response had been received by her office. The Board agreed that the Legal department should be requested to write to JacksonLaw requesting a response to the offer of compensation within seven days.

4iii. Traffic simulation/forecasting model - update

Minutes of 26th July 2017

Whitman, Requardt & Assoc. (WRA) signed the contract 20th July 2017.

Minutes of 10th August 2017

Not considered.

Minutes of 16th August 2017

Not considered.

Minutes of 23rd August 2017

The DMD stated the first meeting was held on 9 August via Skype with the first onsite meeting scheduled for mid-September early October. They were currently still assessing the data to input into the model. They anticipate having the first macro model by early January 2018.

DMD stated data is still being provided to the consultants. The MD and DMD are to attend a training event in early October in the US.

4iv. NRA – Design Projects 2016-2020 – prioritisation

Minutes of 10th August 2017

Not considered.

Minutes of 16th August 2017

Not considered.

Minutes of 23rd August 2017

Not considered.

Not considered.

4v. Shamrock Road vicinity of Hirst Rd – horizontal & vertical realignment

Minutes of 16th August 2017

The Chairman reminded members of the e-mail of 26th July 2017 from Dep. Chair G. Clarke following his conversation with a representative of the Roberts family. He had sought to advance the matter by having L&SD communicate an offer to the Roberts in the amount of the valuation given previously to the Board, with an explanation of how the amount was arrived at.

Unfortunately, the combination of the responsibility for lands now being with a new Ministry and key people being on leave (CVO J. Hall, Chief Officer C. Suckoo, Min. J. O'Connor-Connolly, D. Fawcitt), he had only been able to get the Min. of Lands to the point where they were asking that NRA provide a memorandum of understanding (MoU) setting out the arrangements. It was his view that the arrangements would be best captured in a cabinet paper by our Ministry seeking the gazetting and explaining the arrangements which in turn the Ministry of Lands and Min. of Finance would contribute supporting comments. He had decided, therefore, to hold off for a week to ten days until some of the key people were back in office and could be spoken to.

Minutes of 23rd August 2017

Not considered.

The Chairman informed the Board that he had written to our Minister and the Minister of Lands on 04th September setting out in detail the background to the project, why it was needed and what the NRA was seeking to achieve (merely fund the cost of the land acquisition). He had also received confirmation that the BP had been prepared. Our Minister had responded indicating he would look to progress the matter.

Charles Brown confirmed that the matter was to be taken to caucus for review.

5. Operations

5i. Capital projects and district roads - July 2016 –December 2017

Minutes of 23rd August 2017

Not considered.

Director Hydes advised members that the Minister is requesting a presentation to caucus for district roads 2018/2019 budget on Monday, 11th September 2017. The MD is to prepare documents.

5ii. Linford Pierson Hwy widening – design, gazetting & construction

Minutes of 16th August 2017

Supervisor Phillip Berry advised that the median is in up to Alamo as well as duct work is going in from Silver Oaks to Alamo. Top soil is completed in Alamo roundabout and the shoulders are completed on the south side. Paving is expected from Silver Oaks to Alamo at the end of September due to allowing CUC to move poles in the Alamo roundabout and Island Paving to complete curbing.

He further stated they were looking at having the section from Alamo to Silver Oaks completed by mid-September early October. He stated that they are unable to do much work past Halifax as CUC and other telecom service providers have to move their services to the new poles. CUC made an error in placement of one pole so they are working to rectify it. Once he receives a timeline then he will be able to give a better estimate.

There are some issues surrounding service providers switching over to the new poles and through the duct banks. Discussions are ongoing to sort out the issue. CUC is also requesting extra poles at every crossing. This would mean having a 45' pole in beside the 75' pole. This would mean an additional 3 poles. The two homes have been demolished.

One of the issues we are having is Island Paving schedule as we are prepared for their works; however we are at their mercy when it comes to them completing the works.

The Chairman requested another update on the utility re-locations at the next board meeting which is the 23rd August.

Minutes of 23rd August 2017

Not considered.

SPM – Scotland confirmed with the exception of data and streetlights 95% of the utilities are now on new poles. This should be completed by the end of the week. He anticipates another week for the removal of old poles.

Mr. Scotland further advised that paving from Silver Oaks to the Alamo roundabout is expected before the end of September. The next set of paving to Halifax will take place in October. The full four lanes will then be opened from Halifax to Silver Oaks while the remaining road is finished.

5iii. Esterley Tibbetts Hwy widening – design & construction oversight

Minutes of 23rd August 2017

Not considered.

SPM Scotland confirmed construction will continue from ACR North. ACR roundabout to Camana Bay and to CB roundabout plan to open mid-October.

ETH South, waiting for CUC to install street lights. Traffic will then be switched to new lanes.

CUC waiting on wayleave for poles next to National Cement.

5iv. Crewe Road/Tropical Gardens upgrade

Minutes of 16th August 2017

The Senior Engineer advised members that there had been a hold up with Island Paving Ltd. However, they had started to do prep work for curbing to the south side. The north side is ready for prep work also. Placing of the curbs will begin on Friday of this week and should be completed on both sides by the end of next week (25th August).

Based on the schedule Island Paving has provided they will commence paving the first week in September. In the interim we will be completing the milling and removal, which should take about two days.

The Chairman advised the Senior Engineer to push for a completion as the project had been publicly promoted for completion before schools re-open.

SE Edison Jackson told members that 80% of the curbing on the south side was completed on Saturday, 19th August. Curbing on the north side from Nevis to Tropical Gardens should be poured by this coming weekend.

There was a delay with CUC relocating some poles as permission from property owners had not been sought. They were pressing ahead with curb works; however paving was held up because of pole relocation.

Minutes of 23rd August 2017

SE estimated the first week of September to mid-September for completion.

Not considered.

5v. Crewe Rd/Smith Rd intersection – Proposed roundabout

Minutes of 10th August 2017

Not considered.

Minutes of 16th August 2017

The SE advised there was minor stripping to be completed and this should be done by the end of the week. There were light poles bases and lights to be installed; they are on order that should be here by next week. In the interim we are installing the pole bases following approval from Civil Aviation. Conduits were installed when the project was being completed.

The last update regarding cost, we are estimating the cost at \$102k which does not include pole bases which are \$5k to \$6k; so we are well below our estimated budget of \$180k.

Members expressed concern regarding missing signage. These include signs approaching the roundabout from the east on Crewe Rd and west on Smith Rd.

The SE advised he would have to meet with the Signs & Lines supervisor when he returns from leave to ascertain what signs were missing to rectify the issue. Members commented on the significant variation in contrast with the road markings on the old and new pavement. Director Panton asked if additional reflectors could be placed along the double yellow line to assist motorists who will have the tendency to stray back into what was previously a turn lane.

There were also discussions about landscaping within the roundabouts. After it was obvious that no thought had been given to this, the Chairman directed the MD to put some thought into it and revert to the board with recommendations.

Minutes of 23rd August 2017

SE advised that the final island has been filled and all islands seeded today. The Signs & Lines Supervisor had replaced the signs questioned by members at the last meeting as well the reflectors were procured. Pole bases will be installed this weekend 26th August 2017.

Members made mention of the signs coming from the airport providing direction to Agnes Way and Crewe Rd and suggested the location of the signs be flipped. The SE advised he would have the changes made.

The Chairman requested MD to provide deadline for landscaping and road markings.

6. Other Business

6i. Legal action – Bodden Holdings Ltd.

Minutes of 23rd August 2017

Not considered.

Not considered.

6ii. NRA Compound Plans

Minutes of 23rd August 2017

Not considered.

Not considered.

6iii. Signage – Primary arterials

Minutes of 23rd August 2017

Not considered.

Not considered.

6iv. Landscaping of roundabouts

Minutes of 10th August 2017

Not considered.

Minutes of 16th August 2017

Not considered.

Minutes of 23rd August 2017
Not considered.

Not considered.

6v. Development of HMA and concrete pavement designs (previously 6.c)

Minutes of 23rd August 2017

The DMD explained that there is an active tender for this item. Proposals are expected from two firms by August 30th 2017.

DMD advised the Board that the NRA has received two proposals as of 30th August 2017. The proposals are being evaluated and both firms have indicated that they would be able to start promptly.

6vi. Board Members

Minutes of 16th August 2017

No comments

Minutes of 23rd August 2017

No comments.

No Comments.

6a. BP 138 - Farm Road – Request for water

Minutes of 10th August 2017

No update provided.

Minutes of 16th August 2017

No update provided.

Minutes of 23rd August 2017

Members were advised by the DMD they had received the topo survey and would liaise with Lands & Survey to produce a PCM.

No update provided.

6f. Breakers/Pease Bay Project

Minutes of 16th August 2017

The Works Manager was invited to provide an update as to where the project was currently at and what was left to be completed. He advised that:

- the fences and encroaching landscaping on the seaside were removed;
- shoulders have been excavated where necessary and filled with Cayman rock to within 2" of pavement;
- there are water meters to be relocated but Water Authority has stated they are not able to do this until the fixed boundaries are in place; L&SD has advised they will commence work on this next week; once this is completed the Water Authority will be alerted to commence work.

The property managers for Moon Bay condos, Charterland, have communicated to Supervisor Phillip Berry, their concerns regarding the of the tennis court which abuts the road. The Board noted that:

- no adjustment was being made to the property boundary (unlike the adjacent property);
- the provision of a shoulder should not exacerbate the risk to the court as the shoulder should assist motorist maintaining control of their vehicles; and
- any safety protection for the court should not be the responsibility of the NRA.

The Board suggested the Works Manager communicate to Charterland that the provision of a shoulder should not exacerbate the risk to the court and raised the option of a guard rail at their expense.

The Works Manager stated he anticipated completion of the project by the end of September, mainly due to Island Paving rescheduling paving until 4th September. He will approach them however to ascertain if they can reschedule to have the project completed closer to the start of the school year.

The Chairman requested the Works Manager provide the members by the next meeting the 23rd August, the projected cost.

Members questioned why the palm trees in the road corridor of the section re-paved last year had not moved. DMD indicated that the owners of the adjacent property who had planted the trees had not objected to their removal. The NRA had approached several vendors to relocate them in the interest of saving the trees. However, to date they were unable to find anyone interested. The Chairman advised the issue would have to be revisited at another time and asked the DMD to contact Vigoro to see if they were able to assist in simply removing the trees.

Minutes of 23rd August 2017

No update given.

The Chairman informed the board that the property boundary issues along the 2,200ft re-paving project in Pease Bay had become more substantial than anticipated. It highlighted the importance of this element being an integral part of any such project and addressed initially.

The section of road was scheduled under the Roads Law in 1977 as a 50ft wide road as part of BP 09. Some properties have had fixed boundary surveys since that time and in some case (unfortunately not all), the 50ft width was acknowledged. The assortment of boundaries and corresponding walls, fences, etc that is seen with abruptly different lines on many roads is a product of this.

On this project, surveys carried out by L&SD have revealed that along some properties, the road alignment may also have been slightly altered (as an improvement effort) during the 1999/2000 HMA paving blitz. The result has been that to give effect to the 50ft width in this project area, it is likely that compensation will have to be paid to some owners to 'acquire' land due either to:

- the road realignment in 1999/2000 (block 48E, parcels 7, 8 and 45);
- failure by L&SD to enforce the road schedule (block 48E, parcels 3,4 and 5).

The SVO, L&SD has been consulted on the likely rate of compensation and the surveyors have provided the areas.

The Board was given a revised breakdown of the costs of the project produced by the Works Manager totalling \$425K with \$106K representing surveying and land compensation costs.

The Board accepted the Chairman's recommendation that these projects had to be done properly and comprehensively when they were done and approved the revised costs. The MD is to consider what budgetary revisions will be necessary to accommodate the revised costs. The Chairman thanked the SPM Scotland for his substantial involvement in the project and in particular his liaising with affected property owners.

6f. Executive Secretary

Ms Julie Campbell advised the Board that this would be her last meeting as she is taking up other employment. The Board thanked her for her services and wished her success. The MD advised that he was recommending Ms. Priscilla Jackson for the role of Executive Secretary as per s.7.(6) of the NRA law.

7. Date of next meeting

The Board will hold an extraordinary meeting on 13th September and a regular meeting on 20th of September 2017.

The meeting adjourned at 1:12pm.

Signature

Chairman of the Board

Confirmation of minutes:

Date: 04 Oct 17

Signature

Administrative & Operations Assistant

Seconded: Confirmation of minutes

Date: 4 October 2017

