
**National Roads Authority
Minutes of the One-Hundred & Ninety-fourth Meeting
of the Board of Directors
held in
NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Thursday 28th April, 2016 at 9:30 a.m.**

In attendance were:

Donovan Ebanks	Chairman
Dane Walton	Director
David Arch	Director
Stanley Panton	Director
Kenross Connolly	Director
Paul Parchment	Managing Director – NRA
Edward Howard	Deputy Managing Director – NRA

Julie Campbell	HR Manager (Acting Executive Sec.) – NRA
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Apologies:

Gary Clarke	Director
Tristan Hydes	Director Designate of Chief Officer, Ministry PLAH&I

1. Call to Order

The Chairman called the meeting to order at 9:50am

2. Minutes of Previous Meetings

- a. 7th April 2016 – confirmed (E.O. mtg.)
- b. 14th April 2016 – reviewed and changes noted
- c. 20th April 2016 – reviewed and changes noted (E.O. mtg.)

3. Administration

i. Corporate Strategic Plan

Reviewing the Corporate Strategic Plan previously circulated; the Chairman asked the MD what he saw were his key achievable goals for 2016/2017. The MD indicated there were three key goals:

1. Amending the Roads Law and drafting the Regulations;
2. The completion of the traffic models; and
3. Conduct the annual audit evaluation of road and street side furniture for Accountant General.

Having received the feedback from the MD, the Corporate Plan which cover the period from 2015 – 2020 was approved by the Board.

ii. MD Performance Agreement

The Chairman proposed a discussion on this at the same meeting on the 7th April 2016, after which Mr. Dunn from Fincor and the MD will be brought in for further discussion.

Minutes from the 14th April

To follow up on discussion during the 7th April meeting, the Chairman asked the MD if he had made the necessary changes to the document as recommended by the board. The MD advised the changes were made and a new draft sent to FINCOR and he was now awaiting the final document. The Chairman directed once received to forward to Board Members for their review for final approval during the extra-ordinary meeting on 20th April 2016.

Having reviewed the Corporate Strategic Plan and its relation to the MD Performance Agreement, Board Members approved the Agreement.

iii. NRA Employee Post-retirement Healthcare & Pensions Benefits

Following the extra-ordinary board meeting on 20th April when the board accepted Mr. Dunn's recommendation to seek actuary valuation and where the Chairman requested Mr. Dunn to enquire if the valuation could be done locally, the MD advised the Board that the Auditor General had suggested the NRA seek to have Mercer conduct the actuarial evaluation as they had dealt with other Statutory Authorities Government Companies (SAGC).

With regards to the qualified opinion, the MD informed the board a letter outlining the NRA's intension was drafted and sent to the Auditor General.

4. Operations

4.i. Capital Projects update and Jan – Jun 2016 schedule

a. Red Bay Roundabout – reconstruction

The DMD advised the Snr. Engineer informed him the plans were not completed as Water Authority had an issue with the depth to which we were proposing to cut down to. He explained the Water Authority were concerned it would affect the amount of coverage needed to cover the pipes. The DMD further explained the Snr. Engineer was waiting to discuss the matter with the MD. The Chairman advised the issue has to be resolved in order to proceed with the works.

Minutes from 14th April

The MD advised they were currently working on a media release on the project and it was anticipated the project would begin the following week. This he indicated meant that the first stages which included publicizing the works in the media, the trial period prior to the actual works commencing.

The board discussed possible diversion plans and the Senior Engineer was called in to discuss the project. He advised the project was separated into 5 phases and described the 5 phases, the impact on traffic and the planned diversions. As concerns arose regarding traffic flow from Red Bay and Prospect, Board Members decided to perform works that could be done now without traffic interruption on both the Red Bay and Prospect roundabouts and carry out the major works during July and August. The works to be completed now included:

Drainage wells;

the re-establishment of the connection of Old Prospect Road to Shamrock Rd in the vicinity of the former Durty Reids; and

the connector on Selkirk Dr. that links to Grand Harbour.

The Chairman instructed the Senior Engineer to revise the schedule of works for each phase; this included updating the plan and diversions for members to review.

The MD informed Board Members the press releases were completed and due out this week and further advised prep work would commence this week or early next week. The Chairman expressed concerns that signs alerting the public were not put in place prior to the well drilling. Board Members discussed and made suggestions regarding drainage from the wells.

b. Bodden Town Rd. vicinity of Midland Acres – mill and pave

The Chairman recommended it would be beneficial to conduct an island wide survey to identify areas which are not only in need of mill and paving, but also those that may need to be reconstructed. Director Walton suggested they use the

information obtained from a survey previously conducted to ascertain predicted road conditions. The Chairman stated it was important for the department to have this information and suggested it warranted further discussions by the board.

Minutes from 14th April

The MD advised confirmation was received regarding the location of the site to be updated and it was indeed necessary. He further stated he had just received a cost estimate but he had not been able to review and therefore schedule. The Chairman reiterated when doing the work, boundary markers of adjacent properties should be identified and proper shoulders constructed.

The MD confirmed that he had identified the section. However there were a few issues with the boundary markers and they were working with Lands & Survey to rectify them.

5. Planning

5.i. Linford Pierson Hwy widening – legal advise

Minutes from 14th April

Referring to the map displayed on the wall, the Chairman explained this was the rendition showing the possibility of securing a 100' right throughout the project save for on the two ends, i.e. in the vicinity of the First Assembly of God church on the east and the Equestrian Centre on the west. This would allow the provision of a 12-14ft 'green' median even after widening to 6-lanes and was as per the southern end of the Esterley Tibbetts Hwy. Due to the existing right-of-way in this section, the necessity to acquire whole parcels in the narrower sections and the size of parcels particularly in the eastern portion, he felt that that the 100ft wide right-of-way could be achieved without substantially increasing the \$4.4M estimated cost of land acquisition. He advised the Board that he had broached the idea to the Minister recently. He stated as per the report distributed to property owners, the recommendation of 86' would be presented to the Minister and suggested that in addition the Board should also present a 100' option.

Redacted under Section 17(a) of the FOI Law 2015

the Chairman inquired of the MD if he received additional acquisitions costs from Lands & Survey. The MD informed him he hadn't.

Board Members were informed by the Chairman that he approached Mr. Hall with regards to procuring assistance for compensation claims for Phase I of the project. It would be understood that the individual would be chosen by Mr. Hall and they would work solely on compensation claims for the project. It is also

understood that compensation claims cannot be submitted by owners until the road is gazetted and therefore imperative to get it gazetted expeditiously.

The MD spoke to discussions held with Lands & Survey regarding claims and impacts with the 100' proposal. He advised the cost had gone up from \$4.4 million to \$4.8 million. The Chairman inquired when the documents would be completed for submission to the Ministry for gazettal and was advised by the MD the package was awaiting a letter from the NRA and an updated map. The MD further advised documents were already forwarded to the Ministry and Mr. Fawcitt was currently working on the Cabinet paper.

5.ii. Traffic simulation/forecasting model

The DMD presented a schedule to Board Members and explained the timeline. He explained the consultants were eager to push the timeline by providing information out of the US in order to facilitate the information needed to create the model. However he advised them this would not be acceptable as the model was to be formed on local data. The DMD further advised that between now and March 2016 they should have the employment data, with RFQ in January and RFP in February or March. From the schedule he advised Board Members that Phase 1- The Travel Model would take 8 – 12 months due to training, therefore they would be looking at January 2017.

The DMD advised they were utilizing all contacts within the Private and Public Sector to obtain the information needed for the employment data. He advised the RFP will be a complex document and it would be necessary to procure assistance for its development. It is hoped the Chairman advised that the individual who assists with the RFP would assist with the tendering process.

No update given.

Due to time constraints, this item was set aside for update at the next board meeting.

Deferred until next meeting.

Deferred until next meeting.

The DMD displayed the schedule and explained they were about two months behind. A draft RFP was completed and a firm engaged to assist with its completion. The firm the DMD advised was the same firm contracted by APEC. He expected the RFP to be completed by mid-May. The RFP would be used to solicit proposals for 2 models by mid-June, the models he explained were:

- First model – A macro model is a travel model.
- Second model – A traffic operations model, would be developed with the information provided from the first model.

5.iii. 2015/2016 Traffic count exercise

The DMD informed the board all works were completed and they were currently awaiting validation and a full report which was expected early May.

Deferred until next meeting.

The DMD reported he had received a preliminary report and expected to receive the full report by mid-May.

6. Other Business

6.i. CIAA/NRA Traffic Study – ORIA Terminal Site & Adjacent Roads

Board Members were informed by the Chairman that he had met with the CIAA board and had walked them through the map and the Members were appreciative of what the NRA wants to do. He further advised that while the procurement and management of the traffic study would be handled by AMR the contract for actual works of the Traffic Study would have to be publically be advertised.

The MD advised that the deadline for responses to the RFP for traffic engineering services had been 4:30p the previous day had but been extended until 20th February 2016.

MD stated that AMR's quote significantly less than anticipated. He further stated he will be speaking with Miss Shammarah McCarthy to engage AMR today and will check his emails to see if the draft was received. Also, because cost is so much less than expected the thought is to push ahead with the RFP given the traffic count. Chairman noted that the AMR quote was [REDACTED] less than the [REDACTED]

The MD advised the contract was signed with AMR on 17th February.

The MD advised consultants for the project would be arriving on the following Monday with a kick off meeting on Wednesday.

Deferred until next meeting.

No update at this time.

6.ii. CIG/Dart/NRA Agreement – 3rd amendment

The DMD updated Board Members on the report regarding the 5 leg round-a-bout and advised this would cause traffic conflict. The only way for this to work would be to make the round-a-bout egg shaped. He advised he has informed Dart who are currently working on the amendment to the drawing.

The MD presented drawings which illustrated the cross section, projections and recommendations:

Construction costs to widen existing **80'** ROW TO 4 Lanes: **CI \$5.05M**
Acquire 20' of ROW to allow build-out to **100'**: **CI \$2.877 M (As per L&S Estimate)**

Construction costs to widen future **20'** ROW to allow for 6 Lanes: **CI \$1.1M**

Total Cost: **CI \$9,027,000**

The Chairman advised the MD to develop a cross section which would include 6 lanes and explain the values to both cross sections for the board to review.

The MD advised Board Members the Minister had queried paving 6 lanes if they were not scheduled to be in immediate operation. The MD had advised him the best way forward was to acquire the land now for the 6 lanes. He further advised work would not commence until there was an agreement on price and instructed the MD to prepare a revised cost estimate for all works.

The Chairman asked the MD who would have oversight of the project. The Board recommended that the MD:

- revise the estimate to make provision for project management; and
- employ a suitable individual on a two-three (2-3) year basis.

Chairman asked the MD if he discussed the numbers with Director Hydes and the MD replied that he had.

No update given.

Director Hydes advised Board Members that they were waiting on a report from PWC.

Deferred until next meeting.

No update at this time.

6.iii. Legal Action – S.23(1)

The MD advised that the consensus was that the compensation agreement was valid. However, did not prescribe a specific access point. Board Members discussed other access options based on drawings presented by the MD. The Board directed the MD develop on the recommendations discussed by the Board and produce:

- a proposal which should include the possibility of the land owner having to relinquish property for a deceleration and acceleration lanes; and
- a proposal providing access from local roads and linking into N Sound Rd but with no access to the ET Hwy.

MD stated that they are expecting a response from this meeting and proceeded to read a recent email received from Chief Financial Officer S.23(1) for S.23(1). He went on to say they were shown the proposal based on the 3rd Amendment that explains the Deceleration lane and the Acceleration lane which they did not approve. The MD further stated that S.23(1) wants a time frame of completion and the purpose of their initial purchase was to place a propane holding tanks at the location but has since purchased property in the Industrial area off Sparky Drive and as such may not have to use that area for the original purpose again. The MD stated that we informed S.23(1) access cannot be given until after the road has been built. Chairman stated that they are entitled to compensation if the access is not given and that we could offer and invite for them to look at the differentials etc.

Chairman asked Director Hydes had he ran this by the Minister. MD added that to establish a cost based on 2 things: Access for S.23(1) only or consider the costs of having to pay both S.23(1) etc. for the alternative option. He noted that the latter would incur much higher costs on the government. Chairman asked the MD if he believed that if we proceeded with the Blue Access as indicated in the drawings, if costs would be incurred for government/NRA. He went on to ask if we can initiate a hold off. MD stated that the Standstill is what they want to oppose. MD said if we set precedence with S.23(1) we will have to do same with S.23(1). Chairman asked for thoughts from the board on the Standstill? To move forward with a hold – all were in agreement. He said we are at the point of finalizing S.23(1) and the best interest of the standstill is for 90 or days in which they can proceed to seek remedies etc. He asked the boards opinion...all members agreed.

No update given.

The MD advised the standstill was executed.

Deferred until next meeting.

No update given at this time.

6.iv. Claim for compensation – S.23(1) Block 25B Parcel

Mr. Hall from Lands & Survey circulated plans and documents relating to the claim and explained the compensation claim and the tentative agreement. After discussions the board agreed to Lands & Survey recommendations of:

1. Monetary compensation in the sum of \$133,400;
2. To pay Claimant's fees;

3. The NRA will make recommendation to Her Excellency the Governor , under S.20 of the current Roads Law, for the 30' sight restrictions affecting the subject property be removed. However, if the sight restrictions have not been removed within a period of 3 years from the date of the NRA compensation settlement, the claimants reserve the right to seek additional compensation monies in this regard."

6.v. Late Claim for Compensation – Block 11E Parcel [REDACTED] (Brac)

The Chairman directed the MD to inquire from Lands & Survey if the property owner received the proper notification and revert.

The DMD advised they had not received any further update from Lands & Survey.

Acting Executive Secretary informed Board Members that following a request to Mr. Hall regarding whether the property owners were notified via registered mail, he replied that notices were sent; however no responses were received.

The Chairman directed the Executive Secretary to inquire about the process of registered mail to determine acknowledgment of the mail and whether information is returned to the sender once it's received; and if this process was in effect in 2013 when the letters should have been mailed. He further directed her that once she was in possession of the information to contact Mr. Hall to confirm delivery of the letter by registered mail and whether there was confirmation of receipt by the property owners.

Deferred until next meeting.

Having conducted their due diligence, the board found the Claimant was severed under Section (b) Roads Law (2005 Revision). Furthermore pursuant to Section 9 (1) of the same Law, the board is not satisfied that the Claimant's delayed notice for compensation was due to good cause. Therefore the decision was made not to entertain the claim.

6.vi. Late Claim for Compensation – S.23(1) [REDACTED]

Deferred until next meeting.

Mr. Hall advise the Chairman although there was an offer made, he had not spoken to Mr. Hislop; however planned to do so in order to conclude the claim within the next couple of weeks.

6.vii. Dart Presentation of Pedestrian Underpass: Ray Howe & Jackie Doak

The MD displayed drawings with the additional specifics that were requested from Dart and addressed concerns regarding the Harquail Theatre access. The Chairman asked what was the purpose of the presentation and site visit and

whether the MD provided them with the criteria of different levels. The MD advised he had provided them with the levels. The Chairman advised the MD to find out when they could meet with the board and revert.

Deferred until next meeting.

Deferred until next meeting.

No update at this time.

6.viii. ETH Site Visit with NRA Site Engineer Consultant; Schmarrah McCarthy of AMR

Due to time limitations the MD briefly updated Board Members on the progress made so far by the consultant. He reported she was now employed for 2 weeks and he had received a number of reports from her during that time. She was on site for 3 hours per day with the freedom to inspect the progress of the project.

Deferred until next meeting.

Deferred until next meeting.

No update at this time.

6.ix. NRA Compound Plans

This item was put aside until the next board meeting.

Deferred until next meeting.

Deferred until next meeting.

No update at this time.

6.x. Signage

1. Customer Service Signs

The Chairman asked the signs displaying the complaints hotline be removed from their current locations and placed in locations where there could be read i.e. public beaches, parks, and launching ramps.

2. Roundabouts

Board Members expressed their concerns regarding the placement of the signs leading up to the Tomlinson Roundabout alerting motorist of the destination options at the roundabout.

The Chairman asked the MD to also investigate the signage at the Silver Oaks roundabout.

6.xi. Outstanding projects

Director Panton enquired if at the next meeting the board could receive an update on three projects:

1. The plans for the third from Prospect to South Sound.
2. Commencement of the Crewe Road project – which the MD informed was not budgeted for.
3. The development of the Walkers Rd. UCCI link – the MD advised there were issues surrounding the development as there were advised the Education Dept. had submitted plans for developing the area. The DMD interjected they were in contact with the Education Dept. and were waiting on a response. A further update would be provided at the next meeting. Director Panton suggested that while waiting on the response works could commence from Walkers Road up to the area in question.

7. Date of next meeting

May meetings are scheduled for the 12th & 26th May, and June meetings are scheduled for 16th & 30th June

The meeting adjourned at 12:20pm.

Signature

Chairman of the Board

Confirmation of minutes:

Date: 26 May '16

Signature

HR Manager (Acting Exec. Secretary)

Seconded: Confirmation of minutes

Date: 26 May 2016

