
National Roads Authority
Minutes of the Two Hundred & Twenty-Fourth Meeting
of the Board of Directors
held in
NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 29th June, 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
Tristan Hydes	Director Designate of Chief Officer, Ministry CPI
Paul Parchment	Managing Director – NRA
Edward Howard	Dep. Managing Director - NRA
Lois A. Hall	Executive Secretary - NRA Board of Directors

Invitees:

Marion Pandohie	TPU - NRA
Mark Scotland	Special Projects Manager – NRA
Ruth Massarella	Valuation Officer – Lands & Survey Dept.

Apologies:

Dane Walton	Director
Charles Brown	Observer - Ministry CPI

1. Call to Order

The Chairman called the meeting to order at 9:49am

2. Minutes of Previous Meetings

- a. 25 May 2017– signed off
- b. 14 June 2017 – reviewed and confirmed

Administration

3i. Proposed Legislative Review

Minutes of 14th June 2017

The proposed meeting of the committee was postponed due to the country's general elections. The new Minister indicated this meeting will take place and it is to be arranged shortly.

Dir Des T. Hydes advised that the Chief Officer intended to convene a meeting shortly.

3ii. Request by MD for Renewal of Employment Agreement

Minutes of 14th June 2017

The Chairman briefed the Board on the completion of the Interim Appraisal of the MD and his acceptance of the results.

The Board considered again the issue of asking the MD to agree to an extension of his current employment agreement by six (6) months to try to ensure that the consideration of a longer term engagement was done by after any changes to the composition of the Board. The Board agreed that an extension should be sought. The Chair is to action.

The Chairman advised the Board that the MD had agreed on 28th June 2017 to the request by the Board of 16th June 2017 to extend the current employment agreement by six (6) months on the same terms and conditions. He indicated he would seek to give effect to this before the MD went on annual leave tomorrow.

3iii Visit to NRA by Minister

The new Minister Joey Hew, Ministry of Commerce, Planning & Infrastructure (CPI), visited the NRA offices and field staff 22nd June 2017. The Minister was apprised of upcoming projects by the MD, DMD and Senior Engineer E. Jackson e.g. pedestrian crossings – Shedden Road, North Church Street. A tour of the ET Hwy widening and new underpass was done. Copies of proposed plans and maps were given to the Minister.

Director D Arch queried if the plans for the proposed George Town re-vitalisation were still around and was informed that they still were however funds are required to do this project.

The Chairman advised that he had just had an informal meeting with the Minister. They discussed possible future projects such as Shedden Road, N Church St. West Bay Rd, etc. The Minister shared a similar vision to the Board with regard to the need to re-define what WB Road should become, particularly with the enhancements to the ETHwy. They had also discussed the impact of the inadequate capacity of the existing roundabout at Grand Harbour.

4. Planning

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

Minutes of 14th June 2017

No compensation claim has been submitted or paid for Blk 21B Par 2 (owner Mr. B. Thompson).

The Chairman suggested a proposed design (a jug handle) to provide access to parcels 14D 239, 73, 74 & 297 REM1. If this revised design is completed by Friday then instructions can be given to Crown Counsel to send the letter to TTHL. The NRA to also look at how to grant access to Mr. B Thompson's other properties on the south side.

Re BP 592 - Blk 20E Par 153: the Board approved the payment of the sum of CI\$13,493.00 for market value of the land taken and valuation report payable to Wilfred M. Chollette and CI\$1,800.00 for professional fees payable to JEC Property Consultants Ltd.

The offer of CI\$10K 'Without Prejudice' by L&S to the owner of Blk20E Par 90 was accepted. However the owner has now requested a wall at the front of the property to be constructed by the NRA. The Board approved payment of the \$10K and construction of the wall. The adjoining land owner (Blk 20E Par 379 - one of the newly constructed houses) has also requested a wall behind the guardrail that is being constructed. The SPM will follow up to see if this was a part of the relocation agreement.

The Church has submitted claim for compensation which L&S has refuted and is awaiting a response from the Church. L&S has requested the list of accommodation works done by the NRA for this Church for revision of this claim.

The Chairman advised that Sr. Crown Counsel had been requested on 23rd June 2017 to send the letter inviting TTHL to negotiate terms of compensation 'Without Prejudice'.

Re Blk 20D Par 452 – Stephen Hawley & George Hawley – The Board approved payment of CI\$28,746 payable to Stephen Hawley and CI\$1,387.50 to DDL Studio Ltd. The Board honours the access request as per NRA letter dated 4th May 2005, subject to the configuration of the access ('left off / left on') being subject to the approval of the NRA.

4ii. Esterley Tibbetts Hwy widening – compensation matters

Minutes of 25th May 2017

The Chairman, Dep. Chairman G. Clarke, Directors D. Arch, S. Panton, K. Connolly and Paul (Andy) Bodden went on a site visit 23rd May, 2017.

Re Blk 13D Par 261 – Lakeside Strata #501 – the Board approved payment of the sum of CI\$40,000.00 for both small triangles of the land to the east and west of the highway which is rendered unusable to the Strata due to the works bisecting the land. No professional fees claimed as the Lakeside Strata proprietors decided to represent themselves in negotiations.

The NRA has made several un-successful attempts to access the Dilbert's property. S. Jackson (Attorney representing the Dilbert's) wrote Sr. Crown Counsel on 10th May 2017 suggesting that the acquisition of his clients' properties were ultra vires the Roads Law (2005 Revision) as the NRA was not intending to construct the third lane at this time. Work is now on hold pending a response from Crown Counsel. NRA management is providing material for presentation to Sr. Crown Counsel for her response.

Minutes of 14th June 2017

A letter was received from S. Jackson (Attorney representing the Dilbert's) stating why the gazetting of the required section for the road was not legal as the proposed third lane will not be constructed now. A proposed design was shown indicating a deceleration lane over recently acquired properties to the south of the Dilbert's giving access to their properties via Webb Road.

The Dilbert's are requesting CI\$261,316 (for Blk 13D Pars 83 & 440). L&S provided a valuation of (CI\$91,325) for possible compensation payable. The NRA has estimated the cost of the construction of the access to be \$70K.

A decision as to how to proceed is dependent on the advice which Sr. Crown Counsel provides as to the viability of the claim by the attorney for the Dilbert's.

Advice was received on 20th June 2017 from Sr. Crown Counsel re the legal representation received in respect of the Dilbert's claim. The response stated that sec. 26 of the Roads Law was not relevant in this circumstance and that sec. 3 (1) (a) and (2) have been complied with.

Given this advice but mindful of the risk of litigation and inherent delay, the Board considered:

- The amounts claimed by the owners of 13D83 and 13D440 – approx. \$260K;
- The amount of compensation deemed justifiable by the L&SD – approx. \$90K;
- The potential cost of litigation – say \$80K;
- The cost of constructing access to Webb Rd over parcels recently acquired – approx. \$70K; and
- The value of the recently acquired properties – approx. \$200k.

The Board took the decision to have Sr. Crown Counsel respond to the 'Without Prejudice' communication offering the claimants the opportunity to build an access road over the recently acquired properties at their expense.

4iii. Traffic simulation/forecasting model - update

Minutes of 25th May 2017

The DMD is to circulate an alternative draft contract later today.

Minutes of 14th June 2017

Item not considered.

The draft contract has been forwarded to Crown Counsel for review. No response received to date.

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

Minutes of 26th April 2017

No update provided.

Minutes of 10th May 2017

The MD is to forward an Excel spreadsheet to the Chairman for review.

Minutes of 25th May 2017

No update provided.

Minutes of 14th June 2017

Item not considered.

No update provided.

4v. Crewe Road/Tropical Gardens upgrade

Minutes of 10th May 2017

No update provided.

Minutes of 25th May 2017

No update provided.

Minutes of 14th June 2017

It is proposed that both Crewe Road projects (4v & 4vii) be coordinated with the completion of Agnes Way roundabout of the LP Hwy widening project to minimise disruption of traffic.

Work on this project has begun and is expected to be completed before the summer is over.

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

Minutes of 25th May 2017

The Board took the decision that the NRA should fund the purchase of Block 28D, parcels 14 and 15 in Savannah required for this project as the opportunity to implement the improvement will be lost if the NRA/CIG does not follow through on their expressed interest and the owner of the adjacent property which is about to be developed acquires it instead. It was suggested that Lands & Survey broker a deal with the owners to sell. The Chairman is to notify the owner (Ms. Roberts) of NRA's intent to pursue the acquisition in the very near future.

Minutes of 14th June 2017

The Chairman, Dep Chairman and Director S. Panton met 3rd June 2017 with the owner of Blk 28D re NRA's desire to acquire the property. The owners will consider the matter. They expressed a desire that the portion of land not used for road improvements be used instead to construct a park possibly sponsored by neighbouring companies to honour the ladies who lived there. Their response is in expected 2 – 3wks.

No update provided.

4vii. Crewe Rd/Smith Rd intersection – Proposed roundabout

Minutes of 25th May 2017

This proposal will be discussed with the MD's of the CI Airports Authority and the Civil Aviation Authority of the CI on 30 May 2017 with a view to ascertaining the future of the north/south section of Crewe Rd west of the airport.

Minutes of 14th June 2017

See end of 4v above.

Work on this project has begun and is expected to be completed before the summer is over.

5. Operations

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

Minutes 29th June 2017

See end of 3i above.

A spreadsheet was shown by the MD showing the different districts and the completed jobs in each district. The MD is to report on the potential value of work that the NRA can expect to complete using its own resources. It is possible that some of the work may have to be sub-contracted. The issue of flooding on Selkirk Drive was raised. The NRA needs to assess the situation and the cost to address it.

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

Minutes of 25th May 2017

The SPM advised that:

- four lanes should be open to traffic from Silver Oaks to Halifax by the end of June 2017; it is now 70% complete;
- he is Still working with CUC, re installation of poles where the new houses are being constructed;
- construction of the houses is expected to be completed by July 2017. The schedule for relocating the home owners will depend on CUC's schedule to provide electricity to the new houses. It is anticipated that the relocation and demolishing of the old houses to be completed by September 2017; and re-construction of sidewalk by ProPlus and construction of the sidewalk by the new Church will be done by the NRA and the church, respectively, when NRA completes the curbs.

Minutes of 14th June 2017

No update provided.

The SPM updated:

- work currently being done by CUC
- wells being drilled
- construction of new houses ongoing with owners expected to occupy by end of July 2017

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

Minutes of 25th May 2017

Landscaping is being done, however the Board is concerned about the type of pine trees being used especially the ones being planted by the Airport Connector Roundabout. (ACR). There is also concern re the boulders located at the Camana Bay town centre roundabout. The MD assured the Board that when the safety audit is done they will have to be removed.

Minutes of 14th June 2017

The opening of the tunnel for traffic scheduled for this Sunday was postponed. Striping in the area completed. PSA i.e. a short video and newspaper ad on the use of the three lane roundabout were done.

The underpass is now open to traffic. Feedback on traffic control on the new roundabout has been received and the NRA to follow up.

6. Other Business

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

Minutes of 25th May 2017

Lands & Survey department provided a cost estimate for the land acquisition related to the proposed Airport Connector Road project (BP 588). The Chairman suggested that this should be reviewed by the Board following whatever changes take place to the membership.

The Chairman and the MD are to meet with CEO Richard Smith of CAAoCI and CEO Albert Anderson of CIAA on 30th May 2017 to discuss this issue and also try to get a handle on the future of Crewe Road west of the runway.

Minutes 14th June 2017

The MD briefed the Board on the meeting with CEO Richard Smith of CAAoCI and CEO Albert Anderson of CIAA. The meeting centred around the old Cayman Airways Offices, the proposed Airport Connector Highway (ACR), the proposed upgrade of the Owen Roberts Drive (ORD), and the proposed upgrade of Smith Rd/Crewe Rd intersection near the airport runway.

A three (3) lane road design proposal (2 lanes with a central turning lane) for ORD was discussed with specific emphasis placed on the horizontal location of the curve around the proposed new CAAoCI office. CEO Richard Smith advised that his architect and team proactively recognized the impending road upgrades and designed their site to allow for future widening.

The NRA design team is to produce a re-design that illustrates the site-layout of the proposed new office superimposed over the proposed new road alignment. This would then be available to both CIAA & CAAoCI design teams for final architectural revisions.

CEO Albert Anderson inquired if the NRA could upgrade the existing pedestrian crossing from the airport arrival lounge to the rental car centre. The MD advised this was possible in the short term (on a cost sharing basis), but suggested the NRA future proof the design to suit the upgrade of ORD.

The Smith Rd/Crewe Rd intersection re-design was presented and the issue of extending the current runway was raised. The MD advised the group of the traffic volumes traversing that portion of Crewe Rd crossing the runway and noted the importance of keeping the road open and operational. Messrs. Richard Smith and Albert Anderson advised that while a retractable blast wall was being considered as a protection for vehicles traversing during aircraft take-off, the NRA should note that the likely extension of runway nearer to the existing road would render the road inoperable during take-off. The MD indicated that even with restrictions during actual take-offs, the segment was still vital to the road network in this area.

The MD advised the group that efforts would be made to future proof the new intersection as well as the planned extension of Crewe Rd from Mango Tree to the

Cayman National Bank (CNB) roundabout to allow for traffic control signals to control/prohibit vehicular movements across that portion of Crewe Rd between the two intersections during take-off periods. Details of the design drawings will be made available to all at a future planned meeting.

No update provided.

6ii. Legal action – Bodden Holdings Ltd.

Minutes of 26th April 2017

Crown Counsel responded to the letter from Etienne Blake (d/d 11th April, 2017), stating that the NRA will honour the Compensation Waiver Agreement but expressing concerns about the completeness of the document which the NRA has and seeking 'disclosure' of the document on which the attorneys are relying. The NRA still has to produce a plan showing 'left off/left on' access.

Minutes of 10th May 2017

No response received from Etienne Blake to Crown Counsel's letter.

Minutes of 25th May 2017

No update provided.

Minutes 14th June 2017

Item not considered.

The MD is to follow up with Crown Counsel if any response has been received from Etienne Blake.

6iii. NRA Compound Plans

Minutes 14th June 2017

The SPM advised that electrical supply to the lab have been approved by CUC.

No update provided.

6iv. Signage – Primary arterials

Minutes of 14th June 2017

Item not considered.

No update provided.

6v. Landscaping of roundabouts

Minutes of 8th February 2017

Mrs. M. Pandohie was invited to discuss this item. It was noted that the Ministry was previously granting approvals to interested entities however the NRA does it now. Contracts are granted for five years. A few of these contracts have expired, with one not to be renewed.

Members queried if a policy regarding the landscaping and upkeep of the assigned roundabouts was in place. As there is no policy/guidelines in place the Board

requested Ms. Pandohie to do draft policy/guidelines in this regard for the next scheduled meeting.

Minutes of 22nd February 2017

The Chairman advised Mrs. M. Pandohie was working on the landscaping policy and would have it ready for next meeting.

Minutes of 8th March 2017

No update provided.

Minutes of 23rd March 2017

No update provided.

Minutes of 12th April 2017

No update provided.

Minutes of 26th April 2017

Copies of the Draft Landscaping Policy/Guidelines were circulated to members for review/comments for the next scheduled meeting.

Minutes of 10th May 2017

No update provided.

Minutes of 25th May 2017

Item not considered.

Minutes of 14th June 2017

Members to review Draft Landscaping Policy/Guidelines.

Mrs. M. Pandohie was invited to discuss the draft policy. The aim of the landscaping policy is to provide relevant guidelines and information for the NRA management to apply when making decisions in regards to the landscaping and maintenance of roundabouts and medians across the island.

Points to be included are: affording opportunities for entities to vie for the opportunity to enhance and upkeep an area; the granting of licences to business applying to landscape roundabouts/medians, the term limits where applicable (new, renewable or not), type and height of vegetation used, signage, the issue of parking on the roundabout (e.g. Silver Oaks at an event at the Lions Centre), review of renewable terms for existing roundabouts which have become landmarks (e.g. CNB & Butterfield), maintenance and general upkeep and the standard at which they are to be kept, illumination at night and illuminating signs.

A list of all roundabouts and medians is to be included as an addendum. Mrs. Pandohie is to revise the draft policy for the meeting scheduled for July 26th 2017.

6vi. Board Members

Minutes of 25th May 2017

Director S Panton – the temporary rubber curbing installed to deter motorists from exiting his business place on to North Sound Way need to be replace as most of them have been removed.

The current Board is appointed to August 2018. As per recent general elections, once the reporting Ministry is established, the Chairman is to write to the Chief to enquire if the current Board is to continue. The current Board will continue to meet until advised.

Minutes 14th June 2017

Director S. Panton proposed the idea of closing the west bound side of traffic between the Grand Harbour and Silver Oaks roundabouts in the afternoons to facilitate a smoother and faster flow of the east bound traffic. Traffic would be diverted through Old Crewe Road. The DMD is to provide a traffic count of the afternoon traffic using the Grand Harbour roundabout.

Copies of the Ministerial Minutes sent to the new Minister by the MD were shared with Members of the Board.

Director Paul (Andy) Bodden informed that Blk 22E Par 175 (Noel Jackson) is requesting shared access with Kings Sports Centre and required a letter from the NRA approving the shared access. However the request was denied by the owner of the sports centre. The DMD is to follow up on how access can be granted as long as the geometric and traffic safety requirements are met.

Director S Panton noted that with the proposed upgrade of the Silver Oaks roundabout to three (3) lanes the NRA needs to look at planning applications for any new development.

The DMD informed members of the proposed widening to three (3) lanes of the Silver Oaks roundabout and the proposed landscaping by CUC.

The DMD advised that the NRA is looking at calming down traffic on the West Bay Rd, hoping that at least 40% of the current traffic will move over to the ET Hwy. He also stated two new proposed developments, a hotel on the old Pageant Beach site and the Almond Tree site in close proximity of each other are in the pipeline. Although the proposed hotels are not expected to generate a large volume of traffic during peak hours, the access points of the proposed developments on to North Church Street and WB Road will need to be reviewed.

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

Minutes of 14th June 2017

No update provided.

Costing for surveying done for this proposed project and the MD is to follow up.

6b. Landscaping of Roundabouts – Contracts

Moved to item 6v above.

6c. Concrete pavement investigation

Minutes of 25th May 2017

No update provided.

Minutes of 14th June 2017

Item not considered.

No update provided.

6d. Request to Lease – Blk 23 C Par 13

Minutes of 10th May 2017

No update provided

Minutes of 25th 2017

No update provided.

Minutes 14th June 2017

Item not considered.

No update provided.

6e. BP - Blk 14CF Par 97 – McField Lane – Sonia Linwood

Minutes of 23rd March 2017

This is a long outstanding compensation claim (submitted 2003) of which the offer by the VEO (Lands & Survey) was not accepted by an agent acting on the claimant's behalf. The claimant now wishes to accept the offer made in 2003 and states that the agent had no authority to act on their behalf.

The MD is to follow up to see if a sec. 6 declaration was done for this road.

Minutes of 12th April 2017

As no s.6 was done the MD is to check if any work was done in this area.

Minutes of 26th April 2017

No update provided.

Minutes of 10th May 2017

No update provided.

Minutes of 25th May 2017

No update provided.

Minutes 14th June 2017

Item not considered.

No update provided.

6f. Claim for compensation – Blk 12C REM1 (now 12C 435 – 437)

Minutes of 23rd March 2017

The Board suggested that Lands & Survey make an offer CI\$350K – Without Prejudice.

Minutes of 12th April 2017

The agent for the owner of this property is not in agreement with the 'without prejudice' offer being made. The VEO is to further discuss with the agent.

Minutes of 26th April 2017

No update provided.

Minutes of 10th May 2017

No update provided.

Minutes 25th May 2017

No update provided.

Minutes of 14th June 2017

Item not considered.

No update provided.

6g. Compensation Claim

6h. BP 578 - Proposed extension of Spice Drive, Bodden Town

Minutes of 25th May 2017

The BP was recently issued by Lands & Survey for gazettal under S.3 Roads Law. The extension is proposed by the owner of Blk 44B Par 287, who has inadequate access rights over two adjoining properties. The cost of constructing the extension and cost of compensating adjacent land owners would be underwritten by the owner of Blk 44B Par 287. The proposed extension has been opposed by one of the affected adjacent land owners. It was suggested that the land owner approach the two adjacent land owners to purchase the section required to construct the proposed road. The MD is to look at this request and possibly other options of access for Blk 44B Par 287.

Minutes of 14th June 2017

Item not considered.

The Board did not support the proposal by the owner of Blk 44B Par 287 to take land and provide access to his property. Two alternative designs were shown to members. The Board suggested a third alternative for internal access and road connectivity to Spice Drive via Mijall Farm Road. The DMD is to advise the Ministries of CPI & Education, Youth, Sports, Agriculture & Land (EYSAL) of the option reviewed by the Board.

6j North West Point – Proposed Boat Ramp

Minutes of 10th May 2017

The layout for a proposed boat ramp was shown to members by the MD. It was noted that the Board was not impressed with the proposed design as its access is an issue as well as lack of parking space for a large boat/trailer. The MD is to write to the Chief Officer (Min PLAH&I) stating that the Board is disappointed that this unnecessary project is being allocated funds and the funds would be better spent on the proposed Savannah/Hirst Rd Intersection project where a member of staff died.

Minutes of 25th May 2017

No update provided.

Minutes of 14th June 2017

No update provided.

No update provided.

7. Date of next meeting

The next meetings are scheduled for Tuesday 11th and Wednesday 26th July 2017.

The meeting adjourned at 1:12pm.

Signature

Chairman of the Board

Confirmation of minutes:

Date: 26 July 2017

Signature

Executive Secretary

Seconded: Confirmation of minutes

Date: 26th July 2017

