
**National Roads Authority
Minutes of the One-Hundred & Sixty-Fifth Meeting
of the Board of Directors
held in
PWD Training/Resource Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 15 April 2015 at 9:30 a.m.**

In attendance were:

Donovan Ebanks	Chairman
Stanley Panton	Director
Kenross Connolly	Director
Dane Walton	Director
John Edward Ebanks	Director
David Arch	Director
Gary Clarke	Director
Paul Parchment	Managing Director - NRA
Edward Howard	Deputy Managing Director – NRA
Tristan Hydes	Director Designate of Chief Officer, Ministry PLAH&I
Julie Campbell	HR Manager (Acting Executive Sec.)– NRA

Apologies:

Ronnie Dunn	Director Designate of Financial Secretary
Sheree Ebanks	Deputy Chairman

1. Call to Order

The Chairman called the meeting to order at 9:40am

2. Minutes of Previous Meetings

- a. 11th March 2015 – confirmed and signed
- b. 25th March 2015 – confirmed and signed

3. Matters Arising from Minutes

Minutes from 30 July 2014

3. i. 5a. Silver Oaks to Bobby Thompson Round-a Bout (Linford Pierson Hwy) widening/land acquisition

The Chairman advised he had heard from the Solicitor General's office and she advised she was dealing with the issue and would get back to him shortly.

The Chairman advised he was approached by Mr. James Whittaker from the Cayman Compass concerning a statement on the widening of the Linford Pierson Highway. He proposed to the Board that he meet with him and brief him on the progress thus far; the Board agreed.

Redacted under Section 17(b)(ii) of the FOI Law 2015

Redacted under Section 17(b)(ii) of the FOI Law 2015

3. ii. 5b. Smith Road upgrade – land acquisition

Ministry Director Designate updated Board members that the Minister had spoken to the land owners and the project would be published in the gazette on 11 March 2015. The preliminary design was received from APEC and was sent back with remarks.

The MD advised they were supposed to start works the first part of April; however they were still sorting contracts as NRA proposed contracting several contractors to get the work done. The DMD advised he had met with the Board of the Primary school and there were discussions regarding proposed entrances as well as the school discussed the possible assistance they may require from NRA, i.e. drainage. The DMD confirmed to date there had not been an official request to that regard.

Confirmation was received from the MD with regards to the receipt of the revised drawings from APEC. He further advised bids for concrete and accommodation works were now being itemized and the compensation claims were with Lands & Survey; however they had not to date received a response from them. The MD stated CUC had been contacted regarding the movement of the pole; however there was some controversy surrounding the cost of moving poles and who should bear that cost.

3. iii. 5b. Godfrey Nixon Way upgrade – land acquisition

The MD advised that as per Section 6 of the Roads Law, the 15 day waiting period from the publication of declaration had ended the previous week. He further stated that the tender for the construction of the sidewalks would go out the week of 16 – 20 March 2015. The MD also took the opportunity to update board members on the works on Canal Point Rd. which began the previous night.

The MD advised the Water Authority had commenced their works on Godfrey Nixon, while CUC was scheduled to move the guide wires. The NRA had received a quote for Island Paving regarding the Type F curbing and was scheduled to begin works 2 April 2015.

The MD confirmed that drainage works were scheduled for the current week, with the curbing scheduled for the week of 20th – 24th April. Scheduled for completion is 10th May 2015.

Other Item: Remediation of Roundabouts

The MD further stated that he received drawings for APEC the day before and they had made significant progress with the round-a-bouts. The anticipated start date for this project is late June.

The MD confirmed they had accepted the bids and will start the works the later part of May or June. The Chairman asked if APEC had the standard design for the roundabouts and referred to the Butterfield, Governors Harbour and Yacht Club roundabouts as the

three types we should be looking at. He also requested the MD contact the RCIP to ascertain if they had any statistics on the Red Bay and Tomlinson roundabouts.

Minutes from 18 June 2014

3. iv. 4d. Fleet Acquisition Proposal

Director Panton advised the board just prior to the meeting he had received an email from the Works Manager stating that the process was 'ongoing'.

The Chairman advised he wanted a definite answer regarding the status of the acquisition. The MD received an update from the Works Manager advising proposals under the DTC & PO process regarding the acquisition of three pieces of equipment had been sent out the day before, that being 11 November 2014. There was still no update on the CTC component part of the acquisition. The Chairman advised the MD to follow up with Director Clarke regarding the process and reiterated that the MD has overall responsibility for the process.

Director Clarke of the Fleet sub-committee advised the board the CTC process was sent to the CTC board for approval, and the RFQ's were scheduled to begin coming in on 26 November 2014.

The Board requested a process and schedule be developed for all three elements with time line for results.

After review of the results RFQ and Purchase Order Vendors spreadsheet that was circulated by the MD; the Chairman suggested the addition of columns that would indicate (a) the comparison to the budget, (b) letter of credit and (c) possession. The Chairman also questioned single source vendors and advised he would prefer to go to multiple vendors. Director Panton of the sub-committee informed the board that the reason for single vendors was due to the NRA's retention of parts for particular equipment which was supplied by that vendor. This kept the cost down for replacement of parts which the NRA had in stock.

The Chairman advised the sub-committee to meet and review the document. Director Clarke advised there was still no reply from CTC regarding the documents presented to them for approval.

To date the NRA has received two vehicles which have been assigned. For acquisition of vehicles going through the CTC process, Deputy MD advised the CTC bid opening is scheduled for 16 January 2015.

The Chairman requested that once all vehicles were obtained, he would like to have the vehicles and their operators meet with the fleet sub-committee with the purpose of discussing the expectations of the board for the vehicle operators.

The MD circulated documents relating to tendering documents that went out in December and informed the Board that the heavy duty trucks need to be retendered as only one company returned a bid on crew cab trucks.

The Board directed the MD to revise the spreadsheet to indicate the process up to delivery of the equipment.

The MD advised that the specifications were changed and the re-tendering process was scheduled to begin the 11th or 12th February 2015, and referred to the schedule sent to the board.

The MD advised the re-tendering process had begun and it was to be published the week of 23 – 27 February 2015.

The DMD advised the documents were submitted to CTC and CTC had written back and advised NRA to revise the tender document and re-tender. The revision was done and submitted to CTC for review and there should be a response from CTC on the 11th or 12th March 2015. DMD further stated that due to a scoring error on the tender for the wheel loader the CTC required re-tender for that item. Re-tender was done for voluntarily for the crew cab trucks as no bids were received.

The MD updated Board Members on the equipment already received. The Board members expressed their concern about the upkeep of the equipment and the sub-committee requested a copy of the vehicle policy.

The MD noted that tenders for the trucks went out on the Fri prior to the meeting, 20 March 2015. He went on to discuss the update of the equipment received and the equipment still outstanding.

The MD advised there were no new updates, the bid were out for tender. Director Panton queried why the tender advertisement in the Caymanian Compass was contrary to what the sub-committee agreed on. He further enquired as to why the changes were made, who made the changes and why the sub-committee was not advised of the changes. Director Panton further insisted he wanted to know who was in charge of submitting the tender and who made the decision to make the changes.

The MD advised he had not been privy to changes and was under the impression the sub-committee was aware of the change. He offered that the CTC may have made recommendations and the changes were made accordingly. The DMD who sits on the CTC board advised Board Members that the CTC board does not offer recommendations, rather they accept the information submitted to them.

Director Clarke advised the MD to obtain the justification as to why the change had been done and who had made the changes.

Minutes from 7 August 2014

3. v. 5.iv. Consultation Process with Landowners Impacted by Proposed Acquisitions

While Mr. Obi, Lands & Survey, was in attendance, the Chairman raised the suggestion that the NRA consider establishing a protocol for consulting property owners who would be affected by proposed acquisitions of their lands to effect

road improvements. While historically there has been some consultation, he suggested that there may be merit in considering a protocol that affords all owners, and in some cases members of the public as well, the opportunity to have proposals presented to them and provide feedback.

Mr. Obi supported the idea and the Board also expressed its support.

Dep. MD informed the Chairman he had sent him an email the day before regarding the progress thus far and updated the Board that this was still in the pre-consultation process as there were a number of issues to consider.

The DMD advised they were hoping to supply an update by the next meeting.

The Chairman advised the MD he had not received an update from the DMD. He was aware that Lands & Survey were having staffing issues; however needed an update on the issue.

DMD advised he had just received the information from Lands & Survey regarding pre-consultation for road gazettal's in other countries. The Chairman advised him to email the document to him for perusal.

No update given

No update given

Minutes from 14 January 2014

3. vi. 4.ii Revised Street Lighting Costs

The MD circulated a copy of the invoices received from the T & D Planning department which indicated an increase by 100% in some instances.

The Chairman requested the MD send an email to the T & D Planning department acknowledging receipt of invoices and advise which invoice was approved for payment and why. Enquires should also be made with regards to the difference in rate charged on the invoices.

The Board members discussed the seeming lack of a formal agreement between CUC and Government regarding street lights and the policies and procedures which would relate to such an agreement. The Board asked the Ministry Director Designate to research the current CUC licence and advise the board as to what if any provision there was within the licence in respect of 'street lighting'.

The Chairman raised the idea of engaging a firm who would be able to advise the NRA on the technical issues such as lighting levels, lighting equipment and alternative energy sources. He felt that the NRA and CIG were substantially under-resourced in deliberating with CUC and the ERA.

The MD advised he had attended a courtesy meeting with CUC where he discussed the issue of the NRA not being involved in recent ERA consideration and approval of the new street lighting base rates. He also sought records of the original street lighting agreement as previously indicated by CUC to exist.

The Chairman reminded the board that the Ministry Director Designate was researching the current CUC license to advise the board as to what if any provision there was within the license in respect of 'street lighting'.

The Chairman asked the MD to follow up with Mr. T. Hydes of the Ministry the information regarding the CUC licence which he had undertaken to ascertain.

No update given


The MD advised the amount had been brought back down and they had in turn paid for the charges. He further expressed concerns regarding ERA approving the change of lights without consultation with NRA and asked the Chairman of the ERA to provide justification for changing the lights.

The Director Designate of Chief Officer confirmed to the board the license did not include any provision in respect of street lights. The Chairman advised the board he would make contact with the Chairman of ERA to ascertain on what basis are they providing approval for the change and to set up a meeting with him to get the discussion going.

Minutes from 25 February 2015

3.vii. 4.ii Writ by former MD

Redacted under Section 23(1) of the FOI Law 2015



4. New Business

4.i. Cross section – Ironwood Development

The MD and Chief Officer Director Designate presented the proposed cross section to the East West Artillery Highway and discussions were held with regards to the choice of curbing.

The Chairman asked the MD put together a costing which included a safety element to allow Directors to make an appropriate decision.

The Chairman reiterated to the Chief Officer Director Designate the need for the Board to be properly apprised of projects which the Ministry was involved with that would affect decisions made by the NRA Board of Directors.

5. Other Business

i. Compensation claim – Xystus

As a decision was made during the last meeting, there was no action required.

ii. Claim for S.23(1) of the FOI Law

The Chairman explained that he was approached by S.23(1) concerning a decision made for claim for compensation. The Board was invited to decide whether it wished to reconsider the matter. After discussions it was decided in order to have a full understanding of the issue, the Senior Valuator, Lands & Survey would prepare documents surrounding the issue for the Board to discuss at the next meeting.

The Chairman asked the Executive Secretary if she had received any information regarding S.23(1) claim. Upon hearing she had not, he requested she contact the Senior Valuator, Lands & Survey for an update so that the information could be presented at the next board meeting.

The board agreed to reconsider the applicants claim for compensation citing Section 3 of the Roads Law to be unclear with respect to advising all registered landowners of intention to develop or construct the road.

The Chairman advised the Senior Valuator to advise S.23(1) in writing that the board will reconsider a claim from the registered proprietors in respect of the property acquired under Boundary Plan 444 of 14 Nov 2002.

iii. Visit to Broward County, Florida Public Works

The Chairman advised he had been in contact with the Director and had received potential dates for the visit. It was hoped they could have an office visit on one day and a site visit on the next.

With that in mind the dates suggested were 13th – 14th May. These dates were agreed by the MD and DMD.

In order to accommodate this, the Board agreed that it would meet on Tuesday, 12th May 2015 rather than Wednesday, 13th May.

iv. Update on compound improvement project

Director Panton requested an update on the works which should have been well underway at this time. He enquired as to what the holdup was because this would cause a delay in the Signs & Lines moving from their current location in September 2015, which was what one of the main goals of the compound project.

The MD advised the holdup was mainly due to two issues, one being the NRA was waiting on PWD regarding electrical works and the other was the drawing that was produced by PWD for the Department of Vehicles & Equipment Services, which indicated they would be utilizing the area NRA had set aside for improvement.

The MD also advised that they were currently looking into re-establishing the lab and this was taking a considerable amount of time as this was too linked with the electrical issues.

The Chairman requested a summarized update from the Project Manager overseeing the compound improvement at the next board meeting.

The Works Manager was invited to the meeting to update the board on the current issues surrounding the compound improvement project, but more specifically the status of Phase 1 which would allow the movement of the Signs & Lines department to move prior to the lease renewal date in September 2015.

Director Clarke instructed the Works Manager to create a schedule for the works to present to the board at the 29th April meeting.

v. Traffic Arms

Director Panton made note the traffic arms were back up at Bobby Thompson; however the replacement signs had not been changed and requested the Works Manager provide the board with an update. The Directors were in agreement the cost out the backup

system and send to Board Members via email; this included specifications, price and size of the unit.

vi. One Capital Place

Director Panton advised Board Members he had visited the site on several occasions and advised the decision previously made by the board and suggested they go back to the owners with the proposal of a well-lit pedestrian lane. The MD was directed to write to the Ministry in this regard.

vii. BP 576 - Beach Bay Developers

The Director Designate of Chief Officer presented to the board a letter which he advised was a formal agreement between the Cayman Islands government and Beach Bay Developers; which outlined the agreement between both parties for the building of BP576. The Director Designate of Chief Officer stated the letter should be signed off by the NRA and not government and suggested the board have a lawyer draw up a letter outlining the conditions of the agreement.

The Chairman advised he would prefer formal communication between the Ministry and the Board in respect of the project. The Board had no formal knowledge to date of the project or the developer and hence was not in a position to be writing to the developer.

viii. CNB roundabout

Director Panton asked the Chairman to keep this item on the agenda as the MD was supposed to give the Directors an overview of what was proposed.

ix. Remnant of S.23(1)

The MD updated the board and advised they may want to consider the outright purchase of the portion of this property which sits north of the East/West Highway for drainage purposes.


The Board agreed that prior to making a decision as to the merits of recommending the purchase of the property, it would like to be informed of the likely cost to compensation and the cost to purchase outright.


6. **Date of Next Meeting**

Next board meeting are scheduled 12th & 27th May 2015.

7. **Adjournment**

The meeting adjourned at 12:40 pm

Signature 
Chairman of the Board
Confirmation of minutes: 12 May 2015
Date: 12 May 2015

Signature 
HR Manager (Acting Exec. Secretary)
Seconded: Confirmation of minutes
Date: 12 May 2015

