
**National Roads Authority
Minutes of the One-Hundred & Sixtieth Meeting
of the Board of Directors
held in
PWD Training/Resource Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday, 11 February 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
Paul Parchment	Managing Director - NRA
Edward Howard	Deputy Managing Director – NRA
 Ronnie Dunn	 Director Designate of Financial Secretary
 Julie Campbell	 HR Manager (Acting Executive Sec.)– NRA

Apologies:

Sheree Ebanks	Deputy Chairman
Gary Clarke	Director

Absent:

Tristin Hydes	Director Designate of Chief Officer, Ministry PLAH&I
---------------	--

1. Call to Order

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

2. Minutes of Previous Meetings

- a. 28 January 2015 – reviewed and changes noted
- b. 14 January 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

MD circulated drawings including cross section drawings and discussed with the board.

The Board advised the MD to make changes regarding the depth of the asphalt surface, having the cross section going 86' all the way and separating shoulder and bicycle lane. The MD also has to sort out the issue by the church and roundabout and create the final draft to send to Mr. Obi at Lands & Survey to rework estimates for presentation to the board by the next meeting 27 November 2014, at which time Mr. Obi should be invited to discuss.

Valuation Officer from Lands & Survey distributed compensation estimate and discussed reasons for the increase from CI\$3,550,000 to CI\$4,400,000.

Senior Valuer, Lands & Survey confirmed the latest compensation estimate. The Chairman requested the MD have a final drawing with the changes requested emailed to him by Friday 12 December the latest Monday 15 December as he wanted to ensure a detailed drawing is submitted to the Ministry. The Chairman advised he would like to get it gazette during the last quarter of the financial year.

Chairman suggested the Board take the necessary steps to lift the 2001 injunction. He informed the Board that he had discussed this step with the Ministry in just before Christmas and the Ministry is supportive. He undertook to liaise with the Solicitor General's office within the next week and indicated he would raise the possibility of engaging outside legal counsel who is better able to handle such matters. He advised he would apprise the board of the outcome of the meeting.

The Board expressed its support for the initiation of action to remove the injunction and for the commitment of the most appropriate resources to accomplish this.

The Chairman informed the board he had been in contact with the Solicitor General (SG) and sent her a summary of BT Way injunction matter prepared in May 2014 by the Dep. MD. He had conveyed the Board's desire to have the injunction lifted. He was hopeful to hear from the Solicitor General during the course of the week. The SG was also advised of the Board's intent to hire legal counsel.

Details regarding the church were still to be finalized and the board agreed they had to be cognizant of the situation while being realistic and practical with the approach. The Chairman instructed for detail drawing to be completed and enquired who was leading the efforts and whose responsibility was it for getting them completed.

The MD circulated a map relating to the land acquisition by the church and advised the revised cost of \$80,000. Discussion surrounding the acquisition and compensation indicated further investigations were necessary prior to a final decision.

The Chairman advised he had spoken and written to the Solicitor General but had not yet received a response regarding the injunction.

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

Proposal drawings which included cross section drawings were circulated by the MD for the board to discuss and offer recommendations.

The Board advised the MD to adjust the drawings to include the following:

- a. Illustrated with three (3) traffic lanes;
- b. Sidewalk on the south side of the road with a curb on the north side; and
- c. Ascertain if the proposed land acquisition estimate of \$950,000 is a valid number

Valuation Officer from Lands & Survey distributed compensation estimate and discussed the reasons for the decrease from C\$900,000 to C\$750,000.

DDTP & SE presented drawings and explained that based on the current proposed scheme, acquisition from the school property and adjoining apartments were the main reason for the decrease in the compensation estimate.

Discussions were held regarding the current drawings presented to the board and the Chairman enquired how close to completion they were as he would like to roll forward for Gazetting early in the New Year. The MD advised they were about finished with the horizontals; however there were a few aspects which needed to be tied in; such as discussions with the school.

The MD is to make adjustments to the proposed drawing which includes the junction at Passadora Place & Melrose Lane. Suggestions were offered that the drawings be drafted to include the Humber Lane junction improvements which would include one passage under Section 3 of the law and the future passage under Section 26 of the law.

The MD circulated a memo indicating the new compensation claims. He also advised there were a number of schemes proposed for that intersection, and that drawings were not completed; however he would send them within the week.

The MD further advised drawings were sent to Lands & Survey and it was anticipated to begin the gazette process on 5 March 2015. Ministry Director Designate confirmed they had not yet received the drawings from Lands & Survey.

The MD advised the board that final drawings were submitted to Lands & Survey approximately three weeks prior. The Chairman advised him to ask the Ministry to remain cognizant of the location of the drawings.

The DMD updated the board on the research completed thus far on Humber Ave and suggested a roundabout be placed at that intersection to allow for flow balance.

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

MD advised the land acquisition was sent to the Ministry to be gazetted; however Ministry designate advised he had not received the documents. The MD was advised to look into the whereabouts of the documents as well as research the estimated cost for construction in order for the project to be started.

The compensation estimate of \$350K was previously presented to the Board on 22nd October 2014.

Ministry designate advised the documents were with the Ministry and a cabinet paper should be completed by Thursday 10 December 2014. The MD advised the Ministry Designate he could use the cost estimate that was submitted with other project costs that was previously submitted to the Ministry.

Final version has been sent to the Ministry and Lands and Survey, this is scheduled to go to Cabinet on 20 January 2015 and incorporated into the law 9 February 2015.

Ministry Director Designate confirmed the approval by cabinet on 20 January 2015; however it was not gazetted and would be done on Fri 30 January 2015.

The MD advised the tender documents for construction works inclusive of sidewalks, reconstruction and asphalt paving would be going out in a week and half.

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 indicated (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.

Minutes from 8 October 2014

3. v. 4a. Access issue – Esterley Tibbetts Hwy – (Clipper Bay)

The MD advised this was to update the board on the above. A letter was sent to the developers advising them that permission was not given; however until a solution was reached regarding the Roads Law and NRA Law amendments; the NRA could not enforce the decision.

Director Dunn advised the MD to write to the Attorney General to obtain assistance by having the legal department issue a cease and desist order.

Director Panton advised the Chairman of the discussion that had taken place during the last meeting and the fact there may be other access issues. The Chairman undertook to discuss with the MD on his return to office.

The MD advised there was still no response from the Attorney General; however he would follow up and revert to the Board. The Board expressed concerns that by the time there was a resolution of the issue the project would be completed.

The MD advised he had a meeting on Monday 1 December with the Attorney General's office. The Ministry Designate updated the board on the acquisition issues between the developer and the Ministry. The Board directed the MD to follow up and advise on the legal advice.

The MD informed the board he met with the AG's office; however there was some confusion regarding where they should be getting directions from, the NRA or the Ministry, as there still appears to be ongoing dialog between the Ministry and the Developer.

The Chairman stressed the importance of the NRA retaining its own legal counsel.

The MD reported to date he had not received a response from legal.

No update given.

The MD advised it was approved by Cabinet for the developer to construct a new access point.

Minutes from 7 August 2014

3. vi. 4c. Speed Humps – upgrades and new installations

Reference was made to speed bumps and street lighting. NRA to carry out survey to determine number of speed bumps, specifications and cost to change them over a three year project. It was agreed that half the budget would be appropriated to replacing existing ones and the other half to install new ones.

The MD circulated a document which was provided to him by the Transportation Planner outlining the recent survey done on the speed humps.

Director Panton reiterated that the board's instructions were to obtain cost for a three year project.

The MD advised he would reinvestigate the issue and provide the board with an update.

The MD gave a presentation which updated the board on the different variations to reduce cost. The Board made the decision to replace the speeds humps on Seymour Dr. George Town as a sample; this way the board could inspect them and make a decision going forward.

Director Arch asked the if management would look into the possibility of having George Town Yacht Club address their speed bumps specs.

The MD advised the speed humps on Seymour Dr. were not completed due to scheduling issues with a local paving company.

The MD advised that one speed hump was completed on Seymour Dr. and Director Panton reported in his opinion it was a 90% improvement. He also

queried the report previously requested on a three year project to convert all speed humps to speed tables. The MD informed him the report was included in the MD monthly report.

No Update given as discussion of the MD report was postponed until 28 February meeting.

A schedule was distributed by the MD and the Board discussed costs. The MD confirmed that contractors performing the works were provided with a template for the design of the speed humps.

3. vii. 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.

Minutes from 14 January 2014

3. viii. 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'.

4. New Business

i. Appointment of Acting Executive Secretary [NRA Law ss.7.(6)]

The Chairman raised the need for the Board to take a formal decision to appoint Ms. Julie Campbell, HR Manager to act as the Executive Secretary in accordance with the NRA Law ss.7.6. This appointment would be retroactive from 27 August 2014 through 30 June 2015 or such other date that the Board decides.

The MD advised on the status of the extended sick leave granted to Executive Secretary, Lois Hall Vaughn, a part of which (full pay) came to term on 11 February 2015. Over the next 6 months, she will be eligible for further extended leave if required but at half pay. The Board agreed she should get full pay for the month of February and a decision would be made regarding her salary at the next board meeting pending information regarding her medical prognosis and finances from her or her son.

ii. Monthly report as of 31 December 2014 – status

The Chairman asked the Director to review and make comments on the report for discussion at the next board meeting. He made mention a decision regarding the submission time of the report and different sections of the report had to be made at the next board meeting.

The frequency of the reports was discussed and it was agreed that the CFO's report be presented every two months for the first half of the fiscal year and then monthly for the second half. The Works Manager and rest of the report without pictures would be presented every two months; therefore the CFO report would be due the end of Feb, Mar, Apr, May and Jun and the MD report in its entirety at the end of April and June.

Sections of the report were discussed with emphasis on the quality of asphalt mix currently available. The Board agreed that someone should be assigned to obtain samples and source the best gravel to obtain the best possible asphalt mix. The Chairman expressed his interest in working with the individual.

iii. 2015/2016 Budget

Director Designate Financial Secretary advised that he did not recall seeing the budget set before the board for approval and reminded the board that submission date to the Ministry of Finance was 13 February 2015.

The MD circulated the proposed budget document and discussed the outputs; however Director Designate of Financial Secretary advised the board that what was presented was in the wrong format and reflected what the Board wanted as stakeholders, what was needed was a reflection of Cabinet as the shareholders.

The Chairman advised the MD & DMD to compile the information within the next 24 hours for submission.

5. Other Business

5.i. Chip & Spray

Director Panton advised he would like to see the NRA move away from Chip & Spray and invest in our own paving equipment, which he thinks would save money in the long run. He suggested that this return on investment need to be investigated.

5.ii. Curb refurbishment at Hutland Rd.

Director Panton advised the Board he was approached by the North Side Pirates Week Committee regarding the curbing and upkeep of the island at Hutland Rd and Rum Point Dr. The committee was requesting the NRA donate the funds to refurbish the curb while the committee would supply the landscaping and upkeep.

The Board agreed NRA instead of donating the funds they would refurbish the curb while the North Side Pirates Week Committee would be given possession of it for a period of two years. The MD was advised to look at the curb and make the necessary arrangements.

Director Panton updated the board on a recent meeting he had with NRA employee Phillip Berry regarding the curb refurbishment at the site. While at the site they noted the difficulty motorists were having identifying the entrance and exit to the road and discussed solutions. The Chairman requested the MD meet with Mr. Berry to develop a drawing of the proposed solution to present to the board at the next meeting.

The MD circulated the report from Mr. Berry; however Director Panton noted there were no official drawings done and there were signage issues. It was suggested Director Panton meet with the Works Manager to discuss signage. The board discussed the possibility of using recycled tires for curbing; however

because of the time line to proceed with the Hutland project and investigate the product for future projects.

Director Panton advised that he met with the North Side Pirates Week committee and the North Side District Council and they were pleased with the design; however he had to convince them to give up the idea of landscaping. He would be meeting with NRA Works Manager and Supervisor Phillip Berry regarding signage, so they could proceed. The plan would include hardscape instead of landscape.

5. iii. Condolences to the family of Ralph Williams

The Chairman asked that condolences be conveyed to the family of the late Ralph Williams, who was a former long service employee of NRA, and that an arrangement be sent on behalf of the Board and NRA.

5.iv. Gratitude to the Acting Executive Secretary


The Chairman expressed gratitude on behalf of the Board Members to the Acting Executive Secretary (HR Manager) who has taken up the duties of the Executive Secretary while the post holder has been on extended sick leave.


6. Date of Next Meeting

The next meeting is scheduled for Wednesday 25 February at 9:30am

7. Adjournment

The meeting adjourned at 12:30pm

Signature 
Chairman of the Board
Confirmation of minutes: 11 March 2015
Date: 11 March 2015

Signature 
HR Manager (Acting Exec. Secretary)
Seconded: Confirmation of minutes
Date: 11 March 2015