



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
Chairman

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Agenda item # 5-C

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 21, 2009

MOTION

Made By: Mr. Dickens Seconded By: Mr. Witt Action: Motion Carried, Unanimously

Title: Rail Industrial Access – Gerald M. Moore and Son, Inc.

Location: Northampton County

WHEREAS, Section 33.1-221.1:1 of the Code of Virginia declares it to be in the public interest that access railroad tracks and facilities be constructed to certain industrial or commercial sites; and

WHEREAS, the Board of Supervisors of Northampton County has, by resolution dated March 3, 2009, shown support for the application of \$131,800 in Industrial Access Railroad Track funds for assistance in construction of track to serve the Gerald M. Moore and Son, Inc. facility; and

WHEREAS, Bay Coast Railroad has, by a letter dated March 12, 2009, shown support for the project and their commitment to provide rail access to serve the facility; and

WHEREAS, the Gerald M. Moore and Son, Inc. facility is located at 15442 Merry Cat Lane, Exmore, Virginia in Northampton County; and

WHEREAS, the request falls within the intent of Section 33.1-221.1:1 and is in accordance with the provisions of the Commonwealth Transportation Board's policy on the use of Industrial Access Railroad Track funds; and

WHEREAS, in accordance with the funding formula established by said policy, the Board acknowledges that the reported \$1,250,000 capital investment by the Applicant has been achieved since 2005 and funding may be allocated to this project; and

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WHEREAS, pursuant to the 2008 Acts of Assembly, Chapter 209, Item 450, funding is provided by the General Assembly for Industrial, Airport, and Rail Access projects; and

WHEREAS, the Board believes that this project is for the common good of a region of the Commonwealth and serves a public purpose.

NOW THEREFORE, BE IT RESOLVED, that the Board hereby acknowledges that the capital investment associated with this project has been achieved since 2005 and approves that \$131,800 of the Industrial, Airport, and Rail Access Fund, \$131,800 unmatched, be provided to construct new rail track to serve the Gerald M. Moore and Son, Inc. facility located in Northampton County contingent upon:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above \$131,800, which is allocated herein as an industrial rail access grant, being borne by Gerald M. Moore and Son, Inc. or sources other than those administered by the Virginia Department of Rail and Public Transportation.
3. Execution of an agreement acceptable to the Virginia Department of Rail and Public Transportation.

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