



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 15, 2010

MOTION

Made By: Mr. Peake Seconded By: Mr. Keen

Action: Motion Carried, Unanimously

Title: Economic Development Access to ICA-Farmville, LLC
Project U000-144-123, M501, Town of Farmville

WHEREAS, Section 33.1-221 of the *Code of Virginia* provides a fund to "...be expended by the Board for constructing, reconstructing, maintaining or improving access roads within counties, cities, and towns to economic development sites on which manufacturing, processing, research and development facilities, distribution centers, regional service centers, corporate headquarters, or other establishments that also meet basic employer criteria as determined by the Virginia Economic Development Partnership in consultation with the Virginia Department of Business Assistance will be built under firm contract or are already constructed and to licensed, public-use airports;" and

WHEREAS, the Farmville Town Council has, by appropriate resolution, requested Economic Development Access Program funds to serve ICA-Farmville, LLC off U. S. Highway 15/460 in the Town of Farmville and said access is estimated to cost \$500,000; and

WHEREAS, ICA-Farmville, LLC has been determined by the Virginia Economic Development Partnership in consultation with the Virginia Department of Business Assistance to be a qualifying establishment meeting the basic employer criteria under the provisions of Section 33.1-223 of the Code of Virginia; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 of the *Code of Virginia* and complies with the provisions of the Commonwealth Transportation Board's (CTB) policy on Economic Development Access.

NOW, THEREFORE, BE IT RESOLVED, that \$500,000 from the Economic Development, Airport and Rail Access Fund be allocated to provide adequate access to ICA-Farmville, LLC located off U. S. Highway 15/460, Project U000-144-123, M501 contingent upon:

1. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and
2. Execution of an appropriate contractual agreement between the Town of Farmville (LOCALITY) and the Virginia Department of Transportation (VDOT), to provide for the:
 - a. design, administration, construction and maintenance of this project; and
 - b. payment of all ineligible costs, and of any eligible costs in excess of this allocation, from sources other than those administered by VDOT; and
3. Provision by the LOCALITY of documentation for at least \$2,500,000 of eligible capital outlay by ICA-Farmville, LLC on the property served by this project; and
4. Determination by VDOT of eligible capital outlay in accordance with current policy and procedures for administering the Economic Development Access Program.

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