



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

1401 East Broad Street - Policy Division - CTB Section - #1106
Richmond, Virginia 23219

(804) 786-1830
Fax: (804) 225-4700

Agenda Item # 18

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

June 15, 2011

MOTION

**Made By: Mr. Keen Seconded By: Mr. Koelemay,
Motion Carried, Unanimously**

Title: Rail Industrial Access – Frederick 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 Frederick County has, by resolution dated February 23, 2011 shown support for the application of \$450,000 in Economic Development Access Railroad Track funds for construction of track to serve the Middletown, VA rail facility of Carmeuse Lime & Stone of Northern Virginia; and

WHEREAS, the Middletown rail facility is located in Frederick County, Virginia; and

WHEREAS, this 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 Economic Development Access Railroad Track funds; and

WHEREAS, Frederick County has expressed to Dr. Davis, CTB Board Member, that the project is important to the community and removes trucks from local and state roadways; and

WHEREAS, although the project is already completed, at the request of the Staunton District Member, the Department has brought this project to the Board for briefing and special consideration for funding; and

WHEREAS, the project has been constructed during this period of deliberation; 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 approves that \$450,000 of the Economic Development, Airport, and Rail Access Fund, \$300,000 unmatched and the remaining \$150,000 matched, be provided post construction for the new track to serving the Middletown facility in Frederick County contingent upon:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above \$450,000, which is allocated herein as an industrial rail access grant, being borne by the Grantee, Carmeuse Lime & Stone, or sources other than those administered by the Virginia Department of Rail and Public Transportation.
3. The provision of the required \$150,000 in matching funds by the Grantee.
4. Execution of an agreement acceptable to the Virginia Department of Rail and Public Transportation.

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