



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

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*Agenda Item # 13*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**September 21, 2011**

#### **MOTION**

**Made By: Dr. Davis   Seconded By: Mr. Martin  
Action: Motion Carried, Unanimously**

**Title: Rail Industrial Access – Valley Recycling, LLC**

**Location: Augusta 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 commercial sites; and

**WHEREAS**, the Board of Supervisors of Augusta County has, by resolution dated June 22, 2011, shown support for the application of \$375,000 in Industrial Access Railroad Track funds for assistance in construction of track to serve the Valley Recycling facility rail spur improvements; and

**WHEREAS**, the Virginia Economic Development Partnership has, by letter dated August 19, 2011, shown support for the project and the application for rail access funds; and

**WHEREAS**, Valley Recycling, LLC's proposed facility will be located in the Town of Fishersville, Virginia (Augusta County); 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 Industrial Access Railroad Track funds; and

**WHEREAS**, in accordance with the funding formula established by said policy, funding may be allocated to this project; and

**WHEREAS**, pursuant to the 2011 Acts of Assembly, 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; and

**NOW THEREFORE, BE IT RESOLVED**, that the Board hereby approves that \$375,000 of the Industrial, Airport, and Rail Access Fund with a minimum \$75,000 local match, be provided to construct 1,096 feet of track to serve the proposed Valley Recycling facility to be located in Augusta County, Virginia contingent upon:

1. All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
2. All costs above \$375,000 which is allocated herein as an industrial rail access grant, being borne by Valley Recycling, LLC 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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