



# 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 # 14*

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

**September 21, 2011**

#### **MOTION**

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

**Title: Rail Industrial Access – Phoenix Packaging Operations, LLC**

**Location: Pulaski 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 Pulaski County has, by resolution dated July 9, 2011, shown support for the application of \$450,000 in Industrial Access Railroad Track funds for assistance in construction of track to serve the Phoenix Packaging facility rail spur improvements; and

**WHEREAS**, the Virginia Economic Development Partnership has, by letter dated December 8, 2010, shown support for the project and the application for rail access funds; and

**WHEREAS**, Phoenix Packaging Operations, LLC, expanding facility is located in the Town of Dublin, Virginia (Pulaski 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 \$450,000 of the Industrial, Airport, and Rail Access Fund with a minimum \$150,000 local match, be provided to construct 1,300 feet of track to serve the Phoenix Packaging facility located in Pulaski 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 \$450,000 which is allocated herein as an industrial rail access grant, being borne by Phoenix Packaging Operations, 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.

####