



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

April 16, 2014

MOTION

**Made By: Mr. Fralin Seconded By: Mr. Ellis
Action: Motion Carried, Unanimously**

**Title: Economic Development Access to
Kilgour Industries Ltd.
Project ECON-044-024, C501, Henry County**

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 Small Business and Supplier Diversity will be built under firm contract or are already constructed ..."; and

WHEREAS, the Henry County Board of Supervisors has, [by appropriate resolution](#), requested Economic Development Access Program funds to provide adequate access to serve the Kilgour Industries Ltd. facility [to be located](#) off Barrows Mill Road (Route 663), within the Patriot Centre Industrial Park, and said access is estimated to cost \$1.22 million; and

WHEREAS, Kilgour Industries Ltd. has been determined by the Virginia Economic Development Partnership to be a qualifying establishment meeting the basic employer criteria under the provisions of Section 33.1-221 of the *Code of Virginia*; and

WHEREAS, the proposed Kilgour Industries Ltd. facility is expected to result in approximately \$27.3 million in capital investment and employment of 155 persons; and

Resolution of the Commonwealth Transportation Board
Economic Development Access Program
April 16, 2014
Page Two

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 \$650,000 (\$500,000 unmatched, \$150,000 matched) of the Economic Development, Airport and Rail Access Fund be allocated to provide adequate access to Kilgour Industries Ltd. in the County of Henry, Project ECON-044-024, C501 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 County of Henry (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 and any other approved allocation for this economic development project, from sources other than those administered by VDOT; and
 - c. provision by the LOCALITY of documentation of at least \$3,250,000 of eligible capital outlay by Kilgour Industries Ltd. on the site served by this project; and
3. 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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