



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 19, 2021

MOTION

Made By: Mr. Stinson, Seconded By: Dr. Smoot

Action: Motion Carried, Unanimously

**Title: Recreational Access to Tazewell Recreational Park
Project RECR-158-275, Town of Tazewell**

WHEREAS, § 33.2-1510 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is "... in the public interest that access roads and bikeways to public recreational areas and historical sites be provided..." and sets aside highway funds for such purpose, "... [w]hen the Director of the Department of Conservation and Recreation has designated a public recreational area as such ... and recommends to the [Commonwealth Transportation] Board that an access road or bikeway be provided or maintained to that area"; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Tazewell Town Council has, by appropriate resolution, requested Recreational Access funds to provide roadway access to adequately serve recreational facilities located off of Main Street (Business U.S. Highway 19/460) and said roadway access estimate has increased from \$350,000 to \$477,557; and

WHEREAS, the CTB, on February 20, 2019, by appropriate resolution allocated Recreational Access funds in the amount of \$300,000 (\$250,000 unmatched and \$50,000 matched) to Project RECR-158-275; and

WHEREAS, the CTB’s Recreational Access Fund Policy limits the use of funds for access roads to facilities maintained by localities to \$350,000 (\$250,000 unmatched and \$100,000 matched) per project; and

WHEREAS, the Department of Transportation recommends an additional Recreational Access fund award of \$50,000 matched for this project; and

WHEREAS, this request has been considered by the Director of DCR and has been found to comply with the provisions of § 33.2-1510 of the *Code of Virginia* and has designated the site a public recreation area; and

WHEREAS, the Director of DCR recommends the construction of the aforementioned access facility.

NOW, THEREFORE, BE IT RESOLVED, that from the Recreational Access Fund \$50,000 in matched funds be allocated for roadway construction to provide adequate access to existing facilities within Tazewell Recreational Park off of Main Street in the Town of Tazewell, Project RECR-158-275, 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 Tazewell and VDOT to provide for the:
 - a. design, administration, construction and maintenance of this project;
 - b. provision of up to \$100,000 in matching funds, as necessary, by the Town of Tazewell for construction of the access road; and
 - c. payment of all ineligible project costs, and of any eligible project costs in excess of the allocation amount for the roadway access project from sources other than those administered by VDOT.

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CTB Decision Brief

Recreational Access – Town of Tazewell Tazewell Recreation Park

Issue: Pursuant to § 33.2-1510 of the *Code of Virginia*, the Town Council of Tazewell has requested funds from the Recreational Access Program to provide adequate roadway access to existing facilities within the Town of Tazewell's Tazewell Recreation Park.

Facts: Section 33.2-1510 of the *Code of Virginia* provides that the Commonwealth Transportation Board (CTB) shall expend from funds set aside for the construction of access roads and bikeways to public recreational areas and historical sites. CTB Policy requires that the locality provide all rights of way, utility adjustments, and environmental assessments and remediation at no cost to the Commonwealth. Further, this section of the *Code of Virginia* grants the CTB the authority to construct access roads and bikeways to public recreational areas and historical sites when the governing body of the locality in which the access road is to be provided passes a resolution requesting the road and when the Director of the Department of Conservation and Recreation (DCR) has designated the public recreational area as such and recommends to the CTB that an access road be provided to that area.

The Town of Tazewell owns and operates Tazewell Recreation Park and plans to renovate the existing facilities within the 4 acres of recreational area off of Main Street (Business 19/460). Existing facilities include two Little League baseball/softball fields. The Town plans to reorient and reconstruct these fields, improve drainage, provide additional parking, and renovate existing ancillary facilities. The proposed access road project involves construction of an 18-foot wide asphalt roadway from Main Street (Business US Highway 19/460) and continuing north/east, approximately 0.09 mile, to the existing parking lot. The Virginia Department of Transportation's (VDOT's) Bristol District staff has estimated that the cost of the road access project is \$477,557. The locality will administer the design and construction of the proposed road project.

At its February 20, 2019, meeting, the Commonwealth Transportation Board allocated \$300,000 (\$250,000 unmatched and \$50,000 matched) to this project from the Recreational Access Fund as documented in the attachment (resolution attached). Since the CTB's initial allocation, this project's estimate has increased from its original estimate of \$350,000 to \$477,557. The Recreational Access policy allows for a maximum allocation of \$350,000 (\$250,000 unmatched and \$100,000 matched) for access roads to facilities maintained by localities.

The Director of DCR has determined the Tazewell Recreation Park to be a public recreational facility and has recommended utilization of Recreational Access Program funds to provide adequate access to existing facilities within the recreational area.

Recommendations: The roadway access project recommended by staff as adequate to serve existing facilities within Tazewell Recreation Park and VDOT recommends that additional Recreational Access Program funding in the maximum amount of \$50,000 matched for the construction of roadway access be approved, subject to certain contingencies.

Action Required by the CTB: Prior to expending funds set aside for access roads to public recreational areas and historical sites, the *Code of Virginia* specifies that the CTB shall declare by resolution that the access road project be provided. A resolution is provided for formal vote.

Result, if Approved: VDOT will allocate the funding and the Town of Tazewell will proceed with the recreational access roadway project.

CTB Decision Brief
Recreational Access – Town of Tazewell
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Options: Approve, Deny, or Defer.

Public Comments/Reaction: None



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Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 20, 2019

MOTION

Made By: Mr. Johnsen, Seconded By: Mr. Dodson
Action: Motion Carried, Unanimously

Title: Recreational Access to Tazewell Little League Recreational Park
Project RECR-158-275, Town of Tazewell

WHEREAS, § 33.2-1510 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is "... in the public interest that access roads and bikeways to public recreational areas and historical sites be provided..." and sets aside highway funds for such purpose, "... [w]hen the Director of the Department of Conservation and Recreation has designated a public recreational area as such ... and recommends to the [Commonwealth Transportation] Board that an access road or bikeway be provided or maintained to that area"; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Tazewell Town Council has, by appropriate resolution, requested Recreational Access funds to provide roadway access to adequately serve recreational facilities located off of Main Street (Business U.S. Highway 19/460) and said roadway access is estimated to cost \$350,000; and

WHEREAS, this request has been considered by the Director of DCR and has been found to comply with the provisions of § 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Director of DCR recommends the construction of the aforementioned access facility; and

Resolution of the Board

Recreational Access – Tazewell Little League Recreation Park – Town of Tazewell

February 20, 2019

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NOW, THEREFORE, BE IT RESOLVED, that from the Recreational Access Fund \$300,000 (\$250,000 unmatched and \$50,000 matched) be allocated for roadway construction to provide adequate access to existing facilities within Tazewell Little League Recreation Park off of Main Street in the Town of Tazewell, Project RECR-158-275, 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 Tazewell (LOCALITY) and the Virginia Department of Transportation (VDOT) to provide for the:
 - a. design, administration, construction and maintenance of this project; and
 - b. provision of up to \$50,000 in matching funds, as necessary, by the LOCALITY for construction of the access road; and
 - c. payment of all ineligible project costs, and of any eligible project costs in excess of the allocation amount for the roadway access project from sources other than those administered by VDOT.

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CTB Decision Brief

Recreational Access – Town of Tazewell Tazewell Little League Recreation Park

Issue: Pursuant to § 33.2-1510 of the *Code of Virginia*, the Town of Tazewell’s City Council has requested funds from the Recreational Access Program to provide adequate roadway access to existing facilities within the Town of Tazewell’s Tazewell Little League Recreation Park.

Facts: § 33.2-1510 of the *Code of Virginia* provides that the Commonwealth Transportation Board (CTB) shall expend from funds set aside for the construction of access roads and bikeways to public recreational areas and historical sites under this section of the *Code of Virginia*. Further, this section of the *Code of Virginia* grants the CTB the authority to construct access roads and bikeways to public recreational areas and historical sites when the governing body of the locality in which the access road is to be provided passes a resolution requesting the road and when the Director of the Department of Conservation and Recreation (DCR) has designated the public recreational area as such and recommends to the CTB that an access road be provided to that area.

The Town of Tazewell owns and operates Tazewell Little League Recreation Park and plans to renovate the existing facilities within the 4 acres of recreational area off of Main Street (Business 19-460). Existing facilities include two Little League baseball/softball fields. The Town plans to reorient and reconstruct these fields, improve drainage, provide additional parking and renovate existing ancillary facilities. The locality will administer the design and construction of the proposed road project.

Local Assistance Division has coordinated with DCR staff to confirm support for the project. The Director of DCR has determined the Tazewell Little League Recreation Park to be a public recreational facility and has recommended utilization of Recreational Access Program funds to provide adequate access to existing facilities within the recreational area.

Recommendations: The roadway access project recommended by staff as adequate to serve existing facilities within Tazewell Little League Recreation Park involves construction of an 18-foot wide asphalt roadway from Main Street (Business US Highway 19/460) and continuing north/east, approximately 0.09 mile, to the existing parking lot. Bristol District staff has estimated the cost of the road access project to be \$350,000. VDOT recommends that Recreational Access Program funding in the maximum amount of \$300,000 (\$250,000 unmatched and \$50,000 matched) for the construction of roadway access be approved, subject to certain contingencies.

Action Required by the CTB: Prior to expending funds set aside for access roads to public recreational areas and historical sites, the *Code of Virginia* specifies that the CTB shall declare by resolution that the access road project be provided. A resolution is provided for formal vote.

Result, if Approved: VDOT and the Town of Tazewell will proceed with the recreational access roadway project.

Options: Approve, Deny, or Defer.

Public Comments/Reaction: None

Local Government Resolution
Request for Funding
Recreational Access Road

At a regularly scheduled meeting of the Tazewell Town Council held on January 8, 2019 on a motion by Councilmember Brown, seconded by Councilmember Fox, the following resolution was adopted by a vote of 6 ayes, 0 nays, 0 absent:

WHEREAS, the Tazewell Little League Park is owned and is to be developed by the Town of Tazewell as a recreational facility serving the residents of Tazewell, Virginia and adjoining localities; and

WHEREAS, the property on which this facility is located has no access to a public street or roadway and will require the construction of a new roadway which will connect to Main Street [Route US 19/460 Business]; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in section 33.2-1510 of the *Code of Virginia* requires action by the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board; and

WHEREAS, a statement of policy agreed upon between the said Director and Board approves the use of such funds for the construction of access roads to publicly-owned recreational or historical areas; and

WHEREAS, it appears to the Town Council that all requirements of the law have been met to permit the Director of the Department of Conservation and Recreation to designate the Tazewell Little League Park as a public recreational facility and further permit the Commonwealth Transportation Board to provide funds for appropriate access to this public recreational area in accordance with section 33.2-1510 of the *Code of Virginia*; and

WHEREAS, the Council agrees, in keeping with the intent of section 33.2-406 of the *Code of Virginia*, to use its good offices to reasonably protect the aesthetic or cultural value of this access leading to or within areas of historical, natural or recreational significance; and

WHEREAS, the Town of Tazewell acknowledges that no land disturbance activities may occur within the limits of the proposed access project without the consent of the Department of Transportation as a condition of the use of the Recreational Access Fund.

WHEREAS, the Town of Tazewell hereby guarantees that the necessary environmental analysis, mitigation, and fee simple right of way for this improvement, and utility relocations or adjustments, if necessary, will be provided at no cost to the Virginia Department of Transportation; and

WHEREAS, the Town of Tazewell hereby acknowledges that the Virginia Department of Transportation's Recreational Access Program may provide up to a maximum of \$250,000 for a project and, if necessary, requires matching funding, up to \$100,000, from the Town of Tazewell, for estimated eligible project costs over \$250,000, up to \$450,000; and

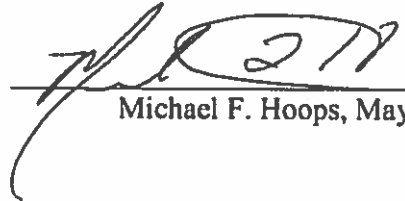
WHEREAS, the Town of Tazewell hereby guarantees that financing of all ineligible project costs, project costs exceeding the project allocation under the Recreational Access Program, any Program-required locality matching funds, if applicable, and all costs exceeding this Program allocation will be provided by the Town of Tazewell.

NOW, THEREFORE BE IT RESOLVED, that the Tazewell Town Council hereby requests the Director of the Department of Conservation and Recreation to designate the Tazewell Little League Park as a public recreation area and to recommend to the Commonwealth Transportation Board that recreational access funds be allocated for an adequate access road to serve said park area; and

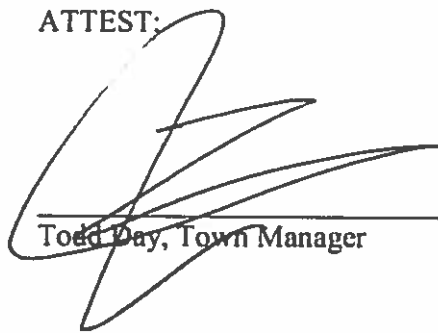
BE IT FURTHER RESOLVED, that the Commonwealth Transportation Board is hereby requested to allocate the necessary recreational access funds to provide a suitable access road as hereinbefore described.

BE IT FURTHER RESOLVED, that the Town Manager and/or his designee(s) be authorized to act on behalf of the Town Council to execute any and all documents necessary to secure the maximum amount of funding eligible under the Recreational Access Program.

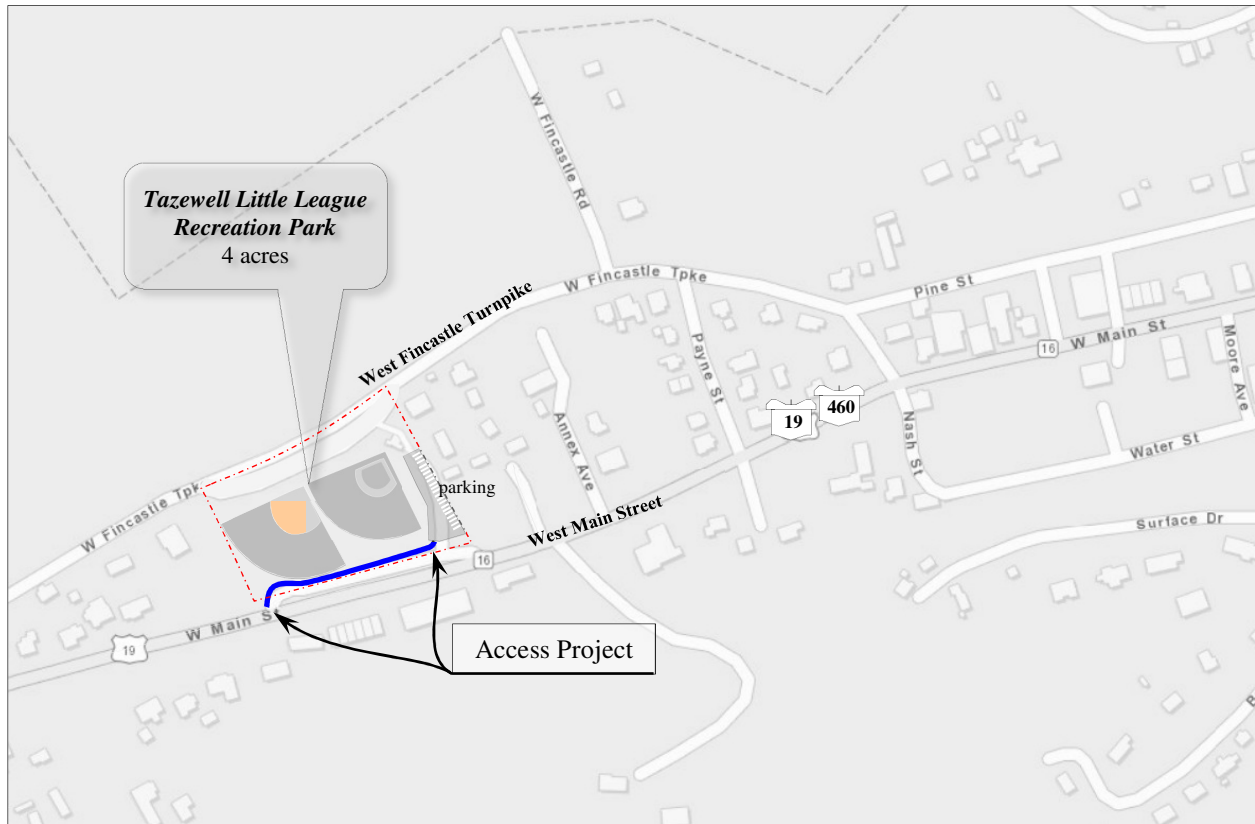
BE IT FURTHER RESOLVED THAT: The Town Council of Tazewell hereby agrees that the new roadway so constructed will be added to and become a part of the urban street inventory of the Town of Tazewell.



Michael F. Hoops, Mayor

ATTEST:


Todd Day, Town Manager



PROPOSED RECREATIONAL ACCESS PROJECT
Tazewell Little League Recreation Park
Project RECR-158-275
Town of Tazewell

Recreational Facility

Existing 4-acre recreation area includes two softball/baseball fields, activity support buildings, and parking area. Existing fields to be reconstructed and repositioned, buildings renovated and parking expanded.

Estimated traffic: 475 vpd

Access Facility

Length: 0.09 mile

Roadway width: 18 Feet

R/W width: 40 Feet

Estimated Cost: \$350,000

Proposed Allocation: \$300,000

(\$250,000 unmatched, \$50,000 matched)