



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 21, 2022

MOTION

Made By: Dr. Smoot **Seconded By:** Mr. Merrill
Action: Motion carried, unanimously

**Title: Discontinuance – Secondary System of State Highways
Route 844 in Bedford County**

WHEREAS, Route 844, located in Bedford County, measuring approximately 0.18 of a mile, is no longer necessary for the uses of the Secondary state highway system, and therefore no longer provides a public convenience that warrants maintenance at public expense, rendering it eligible for discontinuance; and

WHEREAS, the Bedford County Board of Supervisors has approved a resolution on July 11, 2022, attached hereto as Exhibit A, supporting the discontinuance described as the 0.18 of a mile length of Route 844, as seen in the map attached hereto as Exhibit B; and

WHEREAS, pursuant to § 33.2-908 of the *Code of Virginia*, a section of highway may be discontinued from the Secondary state highway system by the Commissioner of Highways, with the approval of the Commonwealth Transportation Board, if the highway is deemed to be no longer necessary for the uses of the Secondary state highway system when a part of the highway no longer provides a public convenience that warrants maintenance at public expense; and

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the discontinuance of the roadway segment identified below and as depicted on Exhibit B attached hereto, as part of the Secondary system of state highways, pursuant to §33.2-908, *Code of Virginia*, as the roadway is no longer necessary for the uses of the Secondary state highway system and is no longer providing sufficient public convenience to warrant maintenance at public expense.

Secondary System of State Highways

Discontinuance

Salem District

Bedford County

- Route 844 0.18 Mi.

Total Mileage Discontinued from the Secondary System: 0.18 Mi.

####

CTB Decision Brief

Discontinuance - Secondary System of State Highways: Route 844 in Bedford County

Issue: The Bedford County Board of Supervisors has requested the discontinuance of Route 844 in Bedford County. Pursuant to §33.2-908 of the *Code of Virginia*, said discontinuance must be approved by the Commonwealth Transportation Board (Board).

Facts: Upon review of the area, VDOT staff determined that the 0.18 of a mile length of Route 844 should be discontinued as a part of the Secondary System of State Highways, pursuant to § 33.2-908 of the *Code of Virginia*, as it no longer provides a public convenience that warrants maintenance at state expense.

The Bedford County Board of Supervisors requested, by resolution on July 11, 2022 (Exhibit A, attached), the discontinuance of the 0.18 mile length of Route 844 (road noted in “Blue” on Exhibit B, attached).

In accordance with §33.2-908, notice of the discontinuance was published in the *Bedford Bulletin* on May 11, 2022 (Exhibit C, attached). Section 33.2-908 requires that notice be provided to the County Board of Supervisors and property owners with land abutting the section of roadway considered for discontinuance. As the only owner of property abutting Route 844 is the County, VDOT staff provided notice to the County Board of Supervisors via certified mail.

Recommendation: VDOT recommends the Board approve the discontinuance of the 0.18 mile length of Route 844 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board’s members to approve the proposed discontinuance. A resolution describing the proposed road to be discontinued is provided for the Board’s consideration.

Result if Approved: If approved, VDOT will suspend all of its maintenance activity on the roadway segment.

Options: Approve, Deny or Defer

Public Comments/Reaction: There was no request for a public hearing made to the Bedford County Board of Supervisors regarding this proposed discontinuance and there were no requests for a public hearing received by VDOT in response to the notices provided.

Exhibit A Bedford County Resolution

Resolution # R 071122-01



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the 11th day of July 2022 beginning at 7:00 p.m.

<u>MEMBERS:</u>	<u>VOTE:</u>
John Sharp, Chairman	Yes
Edgar Tuck, Vice-Chairman	Yes
Mickey Johnson	Yes
Tammy Parker	Yes
Charla Bansley	Yes
Bob Davis	Yes
Tommy Scott	Yes

On motion of Supervisor Parker, seconded by Vice Chairman Tuck, which carried by a vote of 7-0, the following was adopted:

WHEREAS, the Bedford County Board of Supervisors supports the discontinuance of VDOT Secondary Route 844, Recycle Road, as follows:

WHEREAS, the Virginia Department of Transportation has notified the Bedford County Board of Supervisors of its intent to discontinue Route 844, Recycle Road from Route 43 to Cul-de-sac, a distance of 0.18 miles; and

WHEREAS, the sketch attached and incorporated herein as a part of this resolution, defines the adjustment required in the secondary system of state highways as a result of the discontinuance of said portion of Route 844; and

NOW, THEREFORE, BE IT RESOLVED, this Board hereby concurs with and supports the Commonwealth Transportation Board's changes to the secondary system of state highways as identified on the attached sketch, pursuant to Code of VA 33.2-908B of the Code of Virginia; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

A Copy-Teste:

A handwritten signature in blue ink, appearing to read "Robert Hiss", is written over a horizontal line.

Robert Hiss
County Administrator

Exhibit B Sketch of Proposed Road to be Discontinued

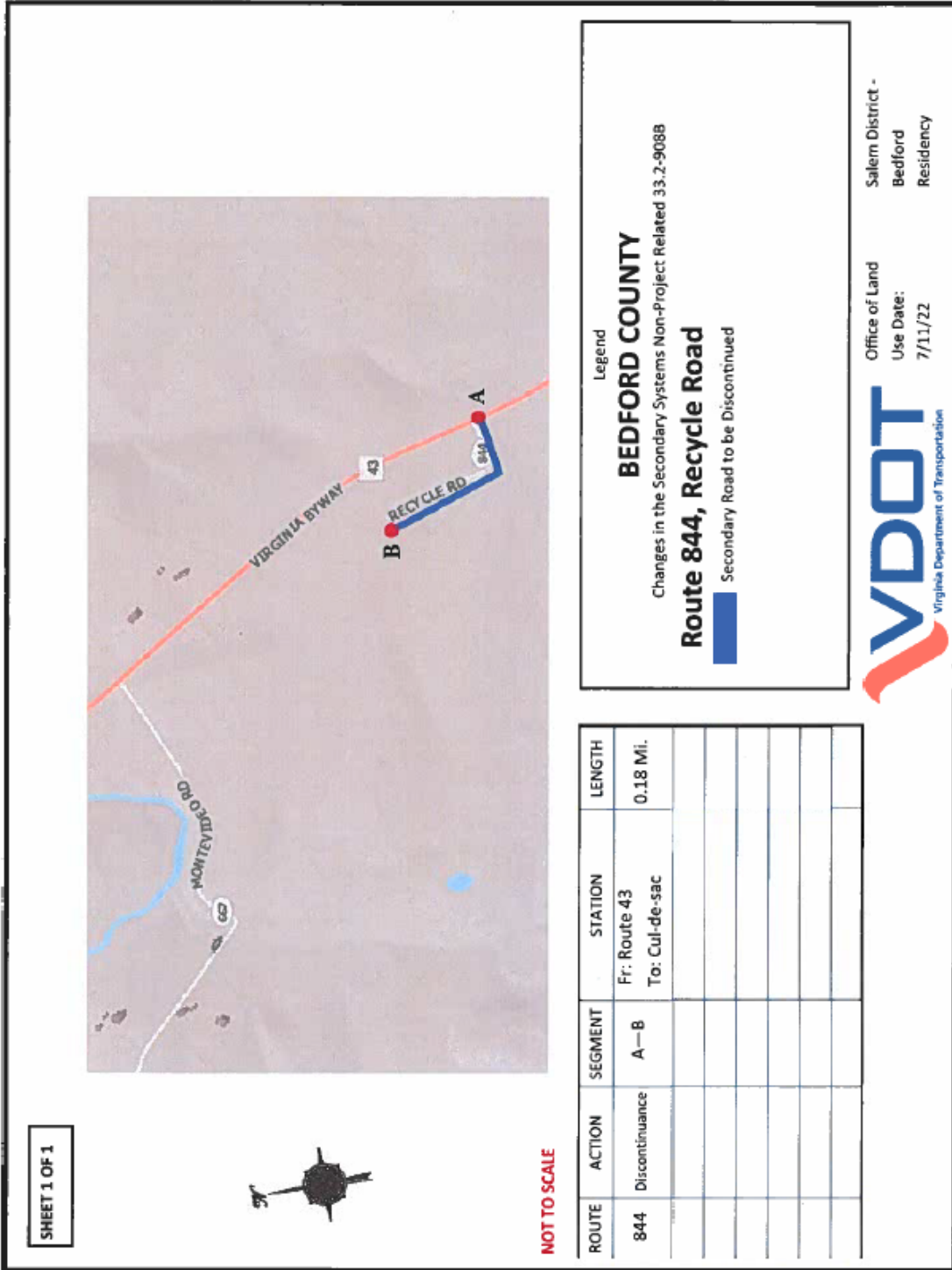


Exhibit C

Public Notice of Discontinuance Published in the *Bedford Bulletin* on May 11, 2022



Route 844 (Recycle Road) Bedford County

Willingness to Hold a Public Hearing Notice of Intent to Discontinue Maintenance of a Public Road Segment

Pursuant to the provisions of §33.2-908 of the Code of Virginia, the Virginia Department of Transportation (VDOT) will consider discontinuance of the segment of Route 844 (Recycle Road) in Bedford County between Route 43 and the cul-de-sac. The total length of the discontinuance is 0.18 mile.

This matter is being considered by VDOT because the road segment does not provide sufficient public service to warrant maintenance at public expense.

VDOT is willing to hold a public hearing prior to considering the discontinuance if the county or one or more landowners whose property is impacted by the discontinuance makes a request. A public hearing may be requested in writing to J.P. Morris, VDOT Bedford Residency, PO Box 446, Bedford, VA 24523 or by email at john.morris@vdot.virginia.gov on or prior to **June 10, 2021**.

Additional information about the proposed discontinuance is available at VDOT's Bedford Residency Office at 2022 East Lynchburg Salem Turnpike in Bedford, 540-586-7941, 1-800-367-7623, TTY/TDD 711. Please call ahead so VDOT can make arrangements for personnel to share more information or answer your questions.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need special assistance for persons with disabilities or limited English proficiency, contact VDOT at 540-387-5552, 1-800-367-7623, TTY/TDD 711.