### AGENDA

## MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

Richmond, Virginia June 18, 1992 10:00 a.m.

- 1. Public Comment
- Action on Minutes of Meeting of April 16, 1992
- Action on Permits Issued and Canceled from May 1, 1992 through May 31, 1992
- Action on Additions, Abandonments or Other Changes in the Secondary System from March 18, 1992 to May 22, 1992
- Action on Discontinuances in the Secondary System: Fairfax County
- Action on Transfer in the Primary System: Town of Chincoteague
- 7. Action: Intent to Discontinue Loudoun County
- 8. Action on City Street Mileage
- 9. Action on Bids Received May 20 and 27, 1992
- Consultant Agreement: Routes 64 and 44 Cities of Norfolk,
   Virginia Beach and Chesapeake

Proj. 0064-122-114,C506

0064-134-104,C503

0044-134-109,C502

0064-122-114,C503

0064-122-115,C503

0064-134-104,C504

0064-134-104,PE102

0064-131-109,PE101

0064-131-111,PE101

0054-134-104,C506

0064-131-109,C501

0064-131-111,C501

Inspection services, operation and maintenance and design services for the Reversible/HOV Roadway System URS Consultants, Inc.

Route 56 - Fairfaz and Prince William Consultant Agreement: Counties

Proj. 0066-029-119, PE101, PE102

0066-029-120,PE101 0066-029-122,PE101 D066-029-116,PB103 0066-076-106,PE1D1

Supplemental Agreement # 1 for revision

in scope of services Dewberry and Davis

Consultant Agreement: Route 168 - City of Chesapeake

Proj. 0168-131-104,PE103,B603,B604,B607,

**B608** 

Supplemental Agreement # 2 for revision

in scope of services URS Consultants, Inc.

Consultant Agreement: Route 642 - Prince William County

Proj. 0642-076-171,C501,C502,C503

0642-076-263,C501

Supplemental Agreement 🛊 2 for revision

in scope of services David Volkert & Associates

Consultant Agreement: Statewide Agreement for Engineering Design

of Utility Adjustment Plans

Region II - Fredericksburg, Lynchburg and

Richmond Districts Greenhorne & O'Mara, Inc.

Region III - Suffolk District (excluding the Cities of Norfolk and Virginia Beach and Accomack and Northampton

Counties

Austin Brockenbrough & Associates

Region IV - Culpeper and Northern Virginia

Districts

Patton, Harris, Rust and Associates

Region V - Cities of Norfolk and Virginia

Beach and Accomack and Northampton

Counties

Maguire Associates, Inc.

Consultant Agreement: Route 95 - Greensville County Proj. 0095-040-111,PE101,L801

Nemorandum of Agreement for Water and Sewer Service to VDOT Rest Area and Information Center on I-95 at Virginia/North Carolina State Line

11. Conveyances: Route 15 - Fluvanna County
Route 729 - Rappahannock County
Route 742 - Wythe County

12. Designation of Virginia Byway: Route 622 - Clarke County

Fr: Route 658 (at Stone Bridge) To: Intersection of Route 50

13. Recreational Access: Northampton County Proj. 0704-065-157,N501

Kiptopeke State Park

14. Hail Industrial Access Program: Frederick County
Hershey Pasta Group

- 15. Action on Department of Transportation's FY 1992-93 Annual Budget
- Action on Department of Rail and Public Transportation's FY 1992-93 Annual Budget
- 17. New Business
- 16. Adjourn

### MINUTES

OF

# MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

Richmond, Virginia June 18, 1992 10:00 a.m.

The monthly meeting of the Commonwealth Transportation Board was held in the Board Room of the Department of Transportation in Richmond, Virginia on June 18, 1992, at 10:00 a.m. The Vice Chairman, Mr. Ray D. Pethtel, presided.

Present: Messrs. Bacon, Candler, Davies, Hoffler, Howlette, Malbon, Mastracco, Musselwhite, Smalley, Waldman, Wells and Mrs. Rincheloe and Dr. Thomas.

Absent: Mr. Milliken and Mr. Warner

On motion of Mr. Bacon, seconded by Dr. Thomas, permits issued and canceled from May 1, 1992 through May 31, 1992, inclusive as shown by the records of the Department, were approved.

moved by Mr. Bacon, seconded by Dr. Thomas, that the Board approve additions and abandonments to the Secondary System from March 18, 1992 to May 22, 1992, inclusive, as shown by the records of the Department.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

WHEREAS, by proper resolution, the Board of Supervisors of Fairfax County has requested that certain roads which no longer serve as public necessities be discontinued as part of the Secondary System of Highways.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended, the Commonwealth Transportation Board finds

the following sections of roads are not required for public convenience and are hereby discontinued as part of the Secondary System of Highways, effective this date.

Fairfax County - Route 643 - Section 1 of old location 0.09 mi

Fairfax County - Route 669 - Section 1 of old location 0.25 Mi

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

whereas, the Town Council of Chincoteague adopted a resolution requesting the Commonwealth Transportation Board to transfer one section of State Route 175 and all of State Route 175-Y, from the Primary System to the Secondary System of Highways; and

WHEREAS, based on evaluation of this request the Department's staff has determined that these sections of road could best be administered as part of the Secondary System of Highways;

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board, in accordance with the authority entrusted under Section 33.1-35 of the Code of Virginia of 1950, as amended, does hereby declare that one section of State Route 175 and all of State Route 175-y in Chincoteague, as shown on attached sketch, be transferred from the Primary System to the Secondary System of Highways.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

WHEREAS, Section 33.1-68 of the Code of Virginia establishes that roads in counties leading from state highways to public schools to which school buses are operated shall constitute portions of the Secondary System of State Highways; and

WHEREAS, Route 9432 in the Town of Purcellville, County of Loudoun, was added to the Secondary System in 1947 to serve the former Carver School; and

WEEREAS, said school was closed as a public school in 1968, at which time the road ceased to serve as a school road, and the Virginia Department of Transportation ceased its maintenance; and

WHEREAS, said former school building is now used or storage and is adequately served by access to other existing roads, and

WHEREAS, the Loudoun County Board of Supervisors has declined requests to abandon said road from the Secondary System; and

WHEREAS, neither the Town of Purcellville nor the County of Loudoun has voiced objection to the proposed discontinuance of said road by this Board; and

WHEREAS, it is deemed by this Board that Route 9432 in Loudoun County no longer serves as a school entrance road in the Secondary System of State Highways; and

WHEREAS, this Board is authorized, pursuant to Section 33.1-150 of the Code of Virginia, to initiate the discontinuance of such roads on its own motion;

NOW, THEREFORE, SE IT RESOLVED, that it is the desire of this Board to discontinue as part of the Secondary System of State Highways, Route 9432 in the Town of Purcellville in Loudoun County; and

BE IT FURTHER RESOLVED, that notice of this proposed discontinuance is to be given to the Loudoun County Board of Supervisors and to the Town Council of Purcellville at least thirty days prior to action by this Board to discontinue said road; and

BE IT FURTHER RESOLVED, that notice of this proposed discontinuance is to be given to the public by one publication in a newspaper of general circulation in Loudoun County and, where practicable, by a registered letter to each landowner whose property abuta the section of road to be discontinued, both notices to be given at least thirty days prior to action by this Board to discontinue said road.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

WHEREAS, the 1990 census population for the Town of Chincoteague is 3,572 and in accordance with Section 33.1-224 whenever any incorporated town exceeds 3,500 population, the streets and roads in such town theretofore incorporated in the Secondary System shall be eliminated from the "State Secondary System" and the control and jurisdiction shall be vested in the local authorities; and

WHEREAS, the Town of Chincoteague does not choose to maintain the primary extensions within its corporate limits; and

WHEREAS, the Commonwealth Transportation Board is authorized under Section 33.1-41.1 of the Code of Virginia, as amended, to approve payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Principal-Minor Arterial Roads and Collector-Local Streets within the corporate limits of the Town of Chincoteague are eligible for such payments; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the Town of Chincoteague for maintenance payments on streets meeting the required criteria;

NOW, THEREFORE, BE IT RESOLVED, that effective July 1, 1992 the initial street mileage eligible for quarterly payments to the Town of Chincoteague for Minor Arterial Roads is 1.45 centerline miles. Collector-Streets is 4.85 centerline miles and for Local Streets is 16.11 centerline miles. these streets are described on tabulation sheets numbered 1 through 2 and 1 through 10 for the Town of Chincoteague, as functionally classified by the Transportation Planning Division dated April 7, 1992.

The tabulation sheets are on file in the Department's Urban Division.

The approved centerline mileage for Minor Arterial Streets totaling 1.45 miles, and Collector-Streets totaling 4.85 miles, and for Local Streets totaling 16.11 miles is subject to receive maintenance payments beginning July 1, 1992.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

whereas, the 1990 census population for the Town of Dumfries is 4,282 and in accordance with Section 33.1-224 whenever any incorporated town exceeds 3,500 population, the streets and roads in such town theretofore incorporated in the Secondary System shall be eliminated from the "State Secondary System" and the control and jurisdiction shall be vested in the local authorities; and

WHEREAS, the Town of Dumfries does not choose to maintain the primary extensions within its corporate limits; and

WHEREAS, the Commonwealth Transportation Board is authorized under Section 33.1-41.1 of the Code of Virginia, as amended, to approve payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Frincipal-Minor Arterial Roads and Collector-Local Streets within the corporate limits of the Town of Dumfries are eligible for such payments; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the Town of Dumfries, for maintenance payments on atreets meeting the required criteria;

NOW, THEREFORE, BE IT RESOLVED, that effective July 1, 1992 the initial street mileage eligible for quarterly payments to the Town of Dumfries for Minor Arterial Roads is 2.20 centerline miles and for Local Streets is 7.40 centerline miles. These streets are described on tabulation sheets numbered 1 through 4 for the Town of Dumfries, as functionally classified by the Transportation Planning Division dated April 7, 1992.

The tabulation sheets are on file in the Department's Urban Division.

The approved centerline mileage for Minor Arterial Streets totaling 2.20 miles and for Local Streets totaling 7.40 miles is subject to receive maintenance payments beginning July 1, 1992.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

WHEREAS, the 1990 census population for the Town of Strasburg is 3,762 and in accordance with Section 33.1-224 whenever any incorporated town exceeds 3,500 population, the streets and roads in such town theretofore incorporated in the Secondary System shall be eliminated from the "State Secondary System" and the control and jurisdiction shall be vested in the local authorities; and

WHEREAS, the Town of Strasburg does not choose to maintain the primary extensions within its corporate limits; and

WHEREAS, the Commonwealth Transportation Board is authorized under Section 33.1-41.1 of the Code of Virginia, as amended, to approve payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Principal-Minor Arterial Roads and Collector-Local Streets within the corporate limits of the Town of Strasburg are eligible for such payments; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the Town of Strasburg for maintenance payments on streets meeting the required criteria;

NOW, THEREFORE, BE IT RESOLVED, that effective July 1, 1992 the initial street mileage eligible for quarterly payments to the Town of Strasburg for Minor Arterial Roads is 3.90 centerline miles, Collector-Streets is 0.42 centerline miles, and for Local Streets is 7.90 centerline miles. These streets are described on tabulation sheets numbered 1 through 11 for the Town of Strasburg, as functionally classified by the Transportation Planning Division dated March 4, 1992.

The tabulation sheets are on file in the Department's Urban Division.

The approved centerline mileage for Minor Arterial Streets totaling 3.90 miles, and Collector-Streets totaling 0.42 miles and for Local Streets totaling 7.90 miles is subject to receive maintenance payments beginning July 1, 1992.

Motion carried.

Moved by Mr. Wells, seconded by Dr. Thomas that the Board approve bids received May 20 and 27, 1992, listed for award on the attached sheets numbered 7A through 7V and authorize execution of contracts by the Deputy Commissioner or Chief Engineer, and approve rejection of those bids listed for rejection and authorize readvertisement.

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Moved by Mr. Mastracco, seconded by Mr. Malbon, that

WHEREAS, the Department has determined the need to supplement its staff for inspection services, operation and maintenance and design services for the Reversible/HOV Roadway System on Routes 64 and 44 in the Cities of Norfolk, Virginia Beach and Chesapeake; and

whereas, in accordance with the Department policies, a firm proposal has been received from the consulting firm of URS Consultants, Inc. of Virginia Beach, Virginia for construction inspection services, operation and maintenance of an interim system and design of traffic control devices for Routes 64 and 44. This work will be funded under projects:

0064-122-114, C-506 Suffolk District Maintenance Code 0064-134-104, C-503 0044-134-109, C-502 0064-122-114, C-503 0064-122-115, C-503 0064-134-104, C-504 0064-134-104, PE-102 0064-131-109, PE-101 0064-131-111, PE-101 0064-131-109, C-506 0064-131-109, C-501

WHEREAS, the specialized scope of work requires augmentation of the Department's staff by consultant engineers; and

WHEREAS, careful consideration has been made of these required services, and just compensation for same has been established and set forth in the Memorandum of Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of the Memorandum of Agreement with URS Consultants, Inc. which includes a net fee of \$244,293.22 and establishes a maximum total compensation not to exceed \$7,495,804.51.

Moved by Mr. Waldman, seconded by Mr. Hoffler, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of Dewberry and Davis and it has been determined that a change in the scope of services is necessary to provide emergency engineering services to locate and redesign the electrical service for the existing lights and signs on Route I-66 between Route I-495 and Route 50 that were dismantled during construction of the Route 66 HOV widening project; and

WHEREAS, under the original Dewberry and Davis contract for design services for I-66 from Route 50 to Route 234, the consultant was responsible for mapping services and no longer has the staff to provide the required service and is requesting Air Survey Corporation be added to this contract to provide this service which will be done within the compensation agreed to in the original agreement, and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 1.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the original agreement which currently has a maximum compensation of \$3,850,212.00.

This Supplemental Agreement No. 1 is in the amount of \$30,458.00 for services and expenses plus a net fee of \$2,946.00 making the total for this supplement \$33,404.00. The total maximum compensation of the agreement including this supplement is now \$3,875,225.00.

Motion carried.

Moved by Mr. Malbon, seconded by Mr. Mastracco, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of URS Company, Inc., and it has been determined that a change in the scope of services is necessary due to a 17 month delay

in the project. During this delay there were changes which required a redesign of the projects. Additionally, the delay resulted in added costs due to job demobilization and remobilization.

Federal Project: M-5403(217) State Project: 0168-131-104, PE103

City of Chesapeake

B603 - Route 168 over Liberty Street Connector B604 - Route 168 over Norfolk & Western Railroad B607 - Route 168 over Ramp

B608 - Ramp over Norfolk & Western Railroad

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 2.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorises the execution of this Supplemental Agreement and it shall become a part of the original agreement which currently has a maximum compensation of \$704,914.72.

Supplemental Agreement No. 2 is in the amount of \$33,495.40 for services and expenses, plus a net fee of \$4,186.92, making the total for this supplement \$37,682.32. The total maximum compensation of the agreement, including this and all prior supplements, is now \$742,597.04.

Motion carried.

Moved by Mr. Waldman, seconded by Mrs. Kinchelos, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of David Volkert & Associates and it has been determined that a change in the scope of services is necessary to design Stormwater Management facilities for projects 0642-076-171, C-501, C-502, C-503 and 0642-076-263, C-501; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 2;

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of this Supplemental Agreement and it shall become a part of the original agreement and Supplemental Agreement No. 1 which currently has a maximum compensation of \$1,154,512.87.

This Supplemental Agreement No. 2 is in the amount of \$137,454.30 for services and expenses plus a net fee of \$12,230.35 making the total for this supplement \$149,584.65. The total maximum compensation of the agreement, including this supplement is now \$1,304,197.52.

Motion carried.

Moved by Mr. Smalley, seconded by Mr. Bacon, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives, the Department has determined that in order to perform the necessary activities to meet those objectives, it is necessary to supplement utility owners' and the Department's staff for engineering design services to prepare utility adjustment plans; and

WHEREAS, in accordance with Department policy and State procurement procedures, a firm proposal has been received from Greenhorne & O'Mara, Inc. for said services for Region II, which consists of the Predericksburg, Lynchburg and Richmond construction districts; and

WHEREAS, careful review and consideration has been made of the scope of work and services required, and the method of just compensation has been established for these services and is set forth in the Memorandum of Agreement; and

WHEREAS, authorization of work will be on projects where utility adjustment plans are needed and authorized by the Department.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of an Agreement with the firm of Greenhorne & O'Mara, Inc. which establishes a maximum total compensation not to exceed \$500,000.00.

Moved by Mr. Smalley, seconded by Mr. Bacon, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives, the Department has determined that in order to perform the necessary activities to meet those objectives, it is necessary to supplement utility owners' and the Department's staff for engineering design services to prepare utility adjustment plans; and

WHEREAS, in accordance with Department policy and State procurement procedures, a firm proposal has been received from Austin Brockenbrough & Associates for said services for Region III, which consists of all of the Suffolk construction district, except for the Cities of Norfolk and Virginia Beach and Accomack and Northampton Counties; and

WHEREAS, careful review and consideration has been made of the scope of work and services required, and the method of just compensation has been established for these services and is set forth in the Memorandum of Agreement; and

WHEREAS, authorization of work will be on projects where utility adjustment plans are needed and authorized by the Department.

NOW, THEREFORE, BE IT RESCLVED, that the Board authorizes the execution of an Agreement with the firm of Austin Brockenbrough & Associates which establishes a maximum total compensation not to exceed \$500,000.00.

Motion carried.

Moved by Mr. Smalley, seconded by Mr. Bacon, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives, the Department has determined that in order to perform the necessary activities to meet those objectives, it is necessary to supplement utility owners' and the Department's staff for engineering design services to prepare utility adjustment plans; and

WHEREAS, in accordance with Department policy and State procurement procedures, a firm proposal has been received from Patton, Harris, Rust and Associates for

said services for Region IV, which consists of the Culpeper and Northern Virginia construction districts; and

WHEREAS, careful review and consideration has been made of the scope of work and services required, and the method of just compensation has been established for these services and is set forth in the Memorandum of Agreement; and

WHEREAS, authorization of work will be on projects where utility adjustment plans are needed and authorized by the Department.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of an Agreement with the firm of Patton, Harris, Rust and Associates which establishes a maximum total compensation not to exceed \$500,000.00.

Motion carried.

Moved by Mr. Smalley, seconded by Mr. Bacon, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives, the Department has determined that in order to perform the necessary activities to meet those objectives it is necessary to supplement utility owners' and the Department's staff for engineering design services to prepare utility adjustment plans; and

WHEREAS, in accordance with Department policy and State procurement procedures, a firm proposal has been received from Maguire Associates, Inc. for said services for Region V, which consists of a portion of the Suffolk construction district, specifically and Cities of Norfolk and Virginia Beach and Accomack and Northampton Counties; and

WHEREAS, careful review and consideration has been made of the scope of work and services required, and the method of just compensation has been established for these services and is set forth in the Memorandum of Agreement; and

WHEREAS, authorization of work will be on projects where utility adjustment plans are needed and authorized by the Department.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the execution of an Agreement with the firm of Maguire Associates, Inc. which establishes a maximum total compensation not to exceed \$500,000.00.

Motion carried.

Moved by Mr. Wells, seconded by Mr. Hoffler, that

WHEREAS, the Department desires to discontinue use of its own wastewater treatment facility and well water system at the Rest Area and Information Center located on the northbound lane of Route I-95 in Greensville County, Virginia, and connect to Northampton County, North Carolina's wastewater and water system for Project 0095-040-111, PE101, L801; and

whereas, the connection of the Department's Rest Area and Information Center to the County's wastewater and water system will require the construction, by the County, of a sewage pump station, force main, and collector lines to transport the sewage from the Rest Area to the County's present sewage system and a new waterline to connect to the County's water system; and

WHEREAS, in accordance with Department policy and State Procurement procedures the Department and the County have carefully reviewed the scope of work and services required and have established just compensation for these services which are set forth in the Nemorandum of Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the execution of the Agreement with Northampton County, North Carolina, which establishes a maximum total compensation not to exceed \$500,000.00.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas

WHEREAS, in connection with Route 15, State Highway Project 1832-07, the Commonwealth acquired certain lands from M. G. Conrad and Ferol S. Conrad by deed dated October 21, 1955, recorded in Deed Book 49, Page 291 in the Office of the Clerk of the Circuit Court of Fluvanna County; and

WHEREAS, the Commonwealth Transportation
Commissioner has certified in writing that the land
containing 0.007 acre, more or less, land and lying in
the southwest quadrant of Routes 15 and 640, from a
point approximately 55 feet opposite approximate
Station 659+10 (Route 15 centerline) to a point
approximately 25 feet opposite approximate Station
1+00 (Route 640 centerline) was acquired incidental to
the construction, reconstruction, alteration,
maintenance and repair of Route 15 and does not
constitute a section of the public road and is deemed
by him no longer necessary for the uses of the State
Highway System; and

WHEREAS, in order to more fully develop the adjacent lands, the adjoining landowner has requested that the excess right of way be conveyed.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a deed without warranty conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas that

WHEREAS, in connection with Route 729, State Highway project 0729-078-114, C-501, the Commonwealth acquired certain lands from Joseph C. Earheart and Shirley A. Earheart by deed dated February 11, 1974, recorded in Deed Book 113, Page 109 in the Office of the Clerk of the Circuit Court of Rappahannock County, and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the parcel of land containing 0.4509 acre, more or less, and lying west of and adjacent to the west normal right of way limits of Houte 729, from a point approximately 30 feet opposite approximate Station 95+25 (Route 729 centerline) to a point approximately 30 feet opposite approximate Station 99+00 (Route 729 centerline) was acquired incidental to the construction,

reconstruction, alteration, maintenance and repair of Route 729 and does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways; and

WHEREAS, in order that the adjacent lands may be more fully developed, the adjoining landowner has requested that the excess right of way be conveyed.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, to the adjoining landowner is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas that

WHEREAS, the Commonwealth is the apparent owner of a parcel of land located along Route 742 in Wythe County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the parcels of land located in the Town of Ivanhoe, being a twenty foot strip of land adjacent to the lands owned by Bessie R. Sangster and Walker A. Hall, lying on the south side of Route 742, Main Street west of the intersection with Route 732, Grayson Avenue, containing approximately 0.22 acre, more or less, do not constitute sections of the public road and are deemed by him no longer necessary for the uses of the Secondary System of State Highways; and

WHEREAS, in order that the adjacent lands may be more fully developed, the adjoining landowners have requested that the excess right of way be conveyed to them.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, to the adjoining landowners is approved and the Commonwealth Transportation Commissioner is hereby

authorized to execute in the name of the Commonwealth quitclaim deeds conveying same for consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

Moved by Mr. Smalley, seconded by Mr. Bacon, that

WHERRAS, under the authority of Section 33.1-62 of the Code of Virginia (1950), as amended, the Commonwealth Transportation Board is authorized to designate Virginia Byways recommended by the Department of Conservation and Recreation; and

WHEREAS, the staff of the Department of Conservation and Recreation and the Virginia Department of Transportation have determined that:

Route 622 from 658 (Stone Bridge) to Route 50 substantially meets the adopted criteria for Virginia Byways; and

WHEREAS, the Department of Conservation and Recreation jointly with the Department of Transportation agree that Route 622 heretofore described be designated as a Virginia Byway and will be governed by the Agreement between Clarke County and the Virginia Department of Transportation dated May 19, 1992; and

WHEREAS, the designation of highways as scenic highways or Virginia Byways shall in no way limit the right of the Virginia Department of Transportation to exercise all of its power and duties in locating, constructing, improving and maintaining highways in the Commonwealth.

NOW, THEREFORE, BE IT RESCLVED, that Route 622 herein described, be designated a Vicginia Byway.

Motion carried.

Moved by Wr. Smalley, seconded by Mr. Boffler, that

WHEREAS, Section 33.1-223 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 for public

recreational areas and historical sites be provided...," reserves \$3,000,000 from highway funds for such purpose, and further provides that "The Commonwealth Transportation Board, with the concurrence of the Director of the Department of Conservation and Recreation, is hereby authorized to make regulations to carry out the provisions of this section."; and

WHEREAS, the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board have adopted a joint policy to govern the use of Recreational Access Funds pursuant to Section 33.1-223 of the Code of Virginia; and

WHEREAS, the Board of Supervisors of Northampton County has, by resolution, requested the use of Recreational Access Funds to provide adequate access to Kiptopeke State Park, located off Route 13 in Northampton County, and the said access is estimated to cost \$161,000; and

WHEREAS, this request has been considered by the Director of the Department of Conservation and Recreation and has been found to comply fully with the provisions of Section 33.1-223; and

WHEREAS, the Director of the Department of Conservation and Recreation has recommended the construction of the aforementioned access road.

NOW, THEREFORE, BE IT RESOLVED that \$161,000 from the 1991-92 Piscal Year Recreational Access Fund be allocated to construct the access road to Kiptopeke State Park in Northampton County, Project 0704-065-157, N501, contingent upon:

- all necessary right of way and utility adjustments being provided at no cost to the Virginia Department of Transportation
- payment of all ineligible project costs and of all eligible costs in excess of \$161,000 by the Virginia Department of Conservation and Recreation

BE IT FURTHER RESOLVED, that the project constructed in accordance with this resolution shall hereafter be known as a "Virginia Byway".

Moved by Mr. Smalley, seconded by Dr. Howlette, that

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 and commercial sites; and

WHEREAS, the Frederick County Board of Supervisors has, by resolution, requested \$478,000.00, in Industrial Access Railroad Track Funds to serve the Hershey Pasta Group; and

WHEREAS, it appears that 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, funds have been returned to the program from completed rail access projects that did not utilize their full allocation; and

WHEREAS, the Commonwealth Transportation Board policy allows reallocation of the funds to pending applications.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves funding in the amount of \$51,472.40 of Industrial Access Railroad Track Funds to construct new track to serve the Hershey Pasta Group located in Frederick County, contingent upon:

- All necessary right of way and utility adjustments being provided at no cost to the Commonwealth.
- Execution of an agreement acceptable to the Department.

Moved by Mr. Mastracco, seconded by Dr. Thomas, that

WHEREAS, the Commonwealth Transportation Board is required by the Code of Virginia Section 33.1-12(9) and (11) to administer and allocate funds in the Transportation Trust Fund; and

WHEREAS, Section 33.1-23.1A requires the Board to allocate such amounts as it deems reasonable and necessary for the maintenance of roads on the Interstate, Primary and Secondary Systems; city street payments and payments to counties that have withdrawn from the Secondary System; and

WHEREAS, Section 33.1-23.1B requires the Board to allocate funds for construction on the Interstate, Primary and Secondary and Urban Systems; and

WHEREAS, other sections of the Code of Virginia and the 1992 Appropriation Act, Chapter 893 enacted by the 1992 General Assembly, require certain allocations; and

NHEREAS, Section 9-6.25 of the Code of Virginia allows for the Board to review and comment on budget items not specifically enumerated to the Board by statute; and

WHEREAS, the Commonwealth Transportation Board has reviewed the Department of Transportation's Tentative FY 1992-93 Annual Budget and has made appropriate comments to the Commissioner for his consideration.

NOW, THEREFORE, BE IT RESCLVED by the Commonwealth Transportation Board that the recommended allocations required by the various statutes and contained in the Department of Transportation's FY 1992-93 Annual Budget are approved.

Motion carried.

Moved by Mrs. Kincheloe, seconded by Mr. Waldman, that

WHEREAS, the Commonwealth Transportation Board is required by the Code of Virginia Section 33.1-12(9) and (11) to administer and allocate funds in the Transportation Trust Fund; and

WHEREAS, the 1992 Appropriation Act, Chapter 893 enacted by the 1992 General Assembly, requires that mass transit funds be allocated by the Board in accordance with the statutory formula in Section 58.1-638; and

WHEREAS, other sections of the Code of Virginia and the 1992 Appropriation Act, Chapter 893 enacted by the 1992 General Assembly, require certain allocations; and

WHEREAS, the 1992 General Assembly enacted Chapter 167, requires the Department to administer state and federal funds; and

WHEREAS, Section 9-6.25 of the Code of Virginia allows for the Board to review and comment on budget items not specifically enumerated to the Board by Statute; and

WHEREAS, the Commonwealth Transportation Board has reviewed the Department of Rail and Public Transportation's Tentative FY 1992-93 Annual Budget and has made appropriate comments for consideration.

NOW, THEREFORE, BE IT RESOLVED, by the Commonwealth Transportation Board that the recommended allocations required by statute and contained in the Department of Rail and Public Transportation's FY 1992-93 Annual Budget are approved.

Motion carried.

The meeting adjourned at 10:53 a.m.

The next regular meeting will be held in Richmond, Virginia on July 16, 1992.

	Approved:
	Chairman
Attested:	
Secretary	