

MINUTES
OF
MEETING OF STATE HIGHWAY AND TRANSPORTATION COMMISSION

Richmond, Virginia

September 15, 1983

The monthly meeting of the State Highway and Transportation Commission was held in the Central Highway Office in Richmond, Virginia, on September 15, 1983, at 10 a.m. The chairman, Mr. Harold C. King, presided.

Present: Messrs. King, Bane, Brydges, Davidson, Forrester, Guiffre, Humphreys, Quicke, Smalley, Smith and Vaughan.

On motion of Mr. Bane, seconded by Dr. Forrester, the minutes of the meeting of August 11, 1983, were approved.

On motion of Mr. Bane, seconded by Dr. Forrester, permits issued from August 11, 1983, to September 14, 1983, inclusive, as shown by records of the Department, were approved.

Motion was made by Mr. Bane, seconded by Dr. Forrester, that cancellation of permits from August 11, 1983, to September 14, 1983, inclusive, as shown by records of the Department, be approved.

Motion carried.

Moved by Mr. Bane, seconded by Mr. Smalley, that the Commission approve additions to the Secondary System from August 11, 1983, to September 14, 1983, inclusive, as shown by records of the Department.

Motion carried.

The Commission committee assignments, previously mailed to the members, were confirmed as attached.

Mr. G. W. Alexander, Right of Way Engineer, presented a report to the status of residue parcels. At present, the Department's inventory indicates approximately 2,000 residue parcels involving a total of 2,092 acres. Emphasis has been increased on the conveyance of these parcels. For Fiscal Year 1981-82, 89.9 acres were conveyed for a total value of \$814,675.88; for fiscal year 1982-83, 301.2 acres were conveyed for a total value of \$1,827,551.48. The increase in value was due primarily to the conveyance of several parcels with an unusually high cost.

COMMISSION COMMITTEES

	Contract Administration	Industrial Access	Internal Audit	Budget and Finance	Permit	Public Transportation	Sign	Special Assignments & Activities	Subdivision Standards	Toll Road & Ferry
Bane, E. M.		X			C			X		
Brydges, R. G.						X			X	C
Davidson, J. L., Jr.	X			C		X	X	C		
Forrester, Wm. M.T.										
Guiffre, J. M.			X						C	X
Humphreys, H.R., Jr.		X					C			X
Quicke, R. A.			C	X	X					
Smalley, R. H.		C			X		X			
Smith, T. E.	X					C		X		
Vaughan, T. G., Jr.	C		X	X						
DEPT. STAFF PERSON	F. L. Burroughs	A. S. Brown	A. S. Sabo	H. M. Morrall	C. O. Leigh	M. D. Kidd/ R. G. Corder	A. L. Thomas, Jr.	A. M. Coates, Jr.	A. S. Brown	John M. Gray, Jr.

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Moved by Mr. Bane, seconded by Dr. Forrester,
that the Commission confirm letter ballot action on the following
resolution:

WHEREAS, under authority of Section 33.1-43 of the Code of
Virginia of 1950, as amended, request is made by the City of Manas-
sas for maintenance payments on additional streets meeting required
standards;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made
to the City of Manassas on additional streets, totaling 0.09 mile,
and meeting required standards under the aforementioned section of
the Code, effective July 1, 1983, for quarterly payments due after
September 30, 1983. The additional streets and mileage eligible
for payments are described as follows:

Phoenix Drive	From Intersection of Centerville Road to Terminus at Turnaround	0.09 Mi.
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This "Other Streets" addition, totaling 0.09 mile, increases the
total "Other Streets" mileage in the City of Manassas from 54.42 miles
to 54.51 miles of approved streets subject to payment.

Motion carried.

Moved by Mr. Humphreys, seconded by Mr. Vaughan,
that

WHEREAS, in accordance with the provisions of Section 128 of
Title 23 - Highways, United States Code, and FHPM 7-7-5, a Location
and Design Public Hearing was held in the Mills E. Godwin High School,
2101 Pump Road, in western Henrico County, Virginia, on July 21, 1983,
at 7:30 p.m., for the purpose of considering the proposed location and
major design features of the Gaskins Road interchange at Interstate
Route 64 from Three Chopt Road to Mayland Drive (0.23 mile south of
the intersection U.S. Route 250) in Henrico County, State Project
0064-043-110, C-501; Federal Project I-64-3(215)149; and

WHEREAS, proper notice was given in advance and all those present
were given a full opportunity to express their opinions and recommen-
dations for or against the proposed project as presented, and their
statements being duly recorded; and

WHEREAS, the economic, social and environmental effects of the
proposed project have been examined and given proper consideration,
and this evidence, along with all other, has been carefully reviewed;

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NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said location and design public hearing by the Department's engineers.

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, under authority of Section 33.1-43 of the Code of Virginia of 1950, as amended, request is made by the Town of Pulaski for maintenance payments on additional streets meeting required standards;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the Town of Pulaski on additional streets, totaling 0.06 mile, and meeting required standards under the aforementioned section of the Code, effective July 1, 1983, for quarterly payments due after September 30, 1983. The additional streets and mileage eligible for payments are described as follows:

L-Place	From Peppers Ferry Road to Dead End	0.06 Mi.
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This "Other Streets" addition, totaling 0.06 mile, increases the total "Other Streets" mileage in the Town of Pulaski from 49.04 miles to 49.10 miles of approved streets subject to payment.

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, under authority of Section 33.1-43 of the Code of Virginia of 1950, as amended, request is made by the City of Virginia Beach for maintenance payments on additional streets meeting required standards;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the City of Virginia Beach on additional streets, totaling 8.33 miles, and meeting required standards under the aforementioned section of the Code, effective July 1, 1983, for quarterly payments due after September 30, 1983. The additional streets and mileage eligible for payments are described on the attached tabulations numbered 1 through 9 dated July 14, 1983;

These "Other Streets" additions, totaling 8.33 miles, increase the total "Other Streets" mileage in the City of Virginia Beach from 917.80 miles to 926.13 miles of approved streets subject to payment.

Motion carried.

ADDITIONS/DELETION
AND/OR "OTHER STREETS"
FOR CITIES AND TOWNS
WITH POPULATIONS IN EXCESS OF 3,500 UNDER
SECTIONS 33.1-41 and 33.1-43 OF THE CODE
OF VIRGINIA, 1979 AMENDMENT

MUNICIPALITY Virginia Beach, Virginia

TOTAL ADDITIONAL CENTERLINE MILEAGE REQUESTED 4.11

*OTHER STREET ADDITIONS

TOTAL ADDITIONAL LANE MILEAGE REQUESTED 8.22

SUBMITTED BY THE CITY OR TOWN (Date 7/20/83) CHECKED BY DEPT. OF HIGHWAYS ENGINEER (Date 7-14-83)

NAME OF STREET	FROM (if widths vary list each change)	TO	R/W WIDTH	HARD SURFACE WIDTH	LENGTH MILES	PARKING PROHIBITED RT (Yes or No)	TYPE OF BASE	TYPE OF SURFACE	Number of Lanes available for peak hour traffic
Tiffany Lane	Princess Anne Road to Sunstream Parkway		50'	30'	.29	No	Soil Cement	Plant Mix	2
Aquamarine Drive	Sunstream Parkway to Topaz Lane		50'	30'	.65	No	Soil Cement	Plant Mix	2
Tiffany Court	Tiffany Lane to Cul-de-sac		50'	30'	.05	No	Soil Cement	Plant Mix	2
Onyx Lane	Aquamarine Drive		50'	30'	.08	No	Agg.	Plant Mix	2
Topaz Circle	Topaz Lane to Cul-de-sac		100'	80'	.03	No	Agg.	Plant Mix	2
Amethyst Circle	Topaz Lane to Cul-de-sac		100'	80'	.02	No	Agg.	Plant Mix	2
Moonstone Drive	Aquamarine Drive to Sunstream Parkway		50'	30'	.15	No	Agg.	Plant Mix	2
Topaz Lane	Aquamarine Drive to 100' south of Aquamarine Drive		50'	30'	.56	No	Agg.	Plant Mix	2
Turquoise Court	Topaz Lane to Cul-de-sac		50'	30'	.04	No	Agg.	Plant Mix	2
Newmill Court	Topaz Lane to Cul-de-sac		50'	30'	.05	No	Agg.	Plant Mix	2
Arcturus Lane	Topaz Lane to Rainbow		50'	30'	.12	No	Agg.	Plant Mix	2
Ruby Circle	Topaz Lane to Cul-de-sac		50'	30'	.04	No	Agg.	Plant Mix	2
Peridot Place	Topaz Lane to Cul-de-sac		50'	30'	.11	No	Agg.	Plant Mix	2

NOTE: Indicate if Addition or Deletion
Indicate if Primary Extension or "Other Streets"

[Signature]

SIGNED

ADDITIONS/DELETION OF PRIMARY EXTENSIONS
AND/OR "OTHER STREETS" FOR CITIES AND TOWNS
WITH POPULATIONS IN EXCESS OF 3,500 UNDER
SECTIONS 33.1-41 and 33.1-43 OF THE CODE
OF VIRGINIA, 1979 AMENDMENT

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MUNICIPALITY Virginia Beach, Virginia

TOTAL ADDITIONAL CENTERLINE MILEAGE REQUESTED 1.46

*OTHER STREET ADDITIONS

TOTAL ADDITIONAL LANE MILEAGE REQUESTED 2.92

SUBMITTED BY THE CITY OR TOWN (Date 7/20/83) CHECKED BY DEPT. OF HIGHWAYS ENGINEER (Date 7-24-83)

NAME OF STREET	FROM (If widths vary list each change)	TO	RAW WIDTH	HARD SURFACE WIDTH	LENGTH MILES	PARKING PROHIBITED RT (Yes or No)	TYPE OF BASE	TYPE OF SURFACE	Number of Lanes available for peak hour traffic
Paramore Drive	First Colonial Road to 70 L.F. South of Glendale Drive		50'	30'	.62	No	Agg.	Plant Mix	2
Glendale Drive	Paramore Drive to 201 L.F. East to End		50'	30'	.04	No	Agg.	Plant Mix	2
Bannister Court	Paramore Drive to Cul-de-sac		50'	30'	.05	No	Agg.	Plant Mix	2
Ichabod Court	Paramore Drive to Cul-de-sac		50'	30'	.02	No	Agg.	Plant Mix	2
Belvidere Court	Middlebury Drive to Cul-de-sac		50'	30'	.10	No	Agg.	Plant Mix	2
Elkinston Court	Paramore Drive to Cul-de-sac		100'	60'	.02	No	Agg.	Plant Mix	2
Nathaniel Court	Paramore Drive to Cul-de-sac		50'	30'	.05	No	Agg.	Plant Mix	2
Norwood Court	Paramore Drive to Cul-de-sac		50'	30'	.08	No	Agg.	Plant Mix	2
Middleburg Drive	Paramore Drive to 360 L.F. west to lot 145		50'	30'	.09	No	Agg.	Plant Mix	2
Sherbrooke Circle	Paramore Drive to Cul-de-sac		50'	30'	.08	No	Agg.	Plant Mix	2
Convey Court	Paramore Drive to Cul-de-sac		50'	30'	.09	No	Agg.	Plant Mix	2
Cocoa Circle	Paramore Drive to Cul-de-sac		50'	30'	.09	No	Agg.	Plant Mix	2
Coach Lane	Paramore Drive to Great Neck Road		50'	30'	.08	No	Agg.	Plant Mix	2

(N/A): Indicate if Addition or Deletion
Indicate if Primary Extension or "Other Streets"

SIGNED

[Signature]

9/15/83

Moved by Mr. Bane, seconded by Dr. Forrester,
that the Commission confirm letter ballot action on the following
resolution:

WHEREAS, by proper resolution, the Board of Supervisors of
Pittsylvania County has requested that certain roads which no longer
serve as a public necessity be discontinued as parts 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 following roads be
discontinued as parts of the Secondary System of Highways, effective
this date:

Pittsylvania County - Route 869 - Section 1 of old location
Route 869 from Sta. 25+00 northerly
0.11 mile and Section 5 from Sta. 128+50
to Route 8681, Project 0869-071-173, C-501.

Route 1530 - Section 2 of old location
Route 1530 from 0.30 Mi. west of Route 863
to 0.50 Mi. west of Route 863, Budget Item
1530-5012.

Motion carried.

9/15/83

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

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Highway and Transportation Commission, a Design Public Hearing was held in the Monacan High School, 11501 Smoketree Drive in Chesterfield County, Virginia, on May 25, 1983, at 7:30 p.m., for the purpose of considering the proposed major design features of State Route 76 (Powhite Parkway Extension) from 1.32 miles west of State Route 288 at Old Hundred Road to 0.82 mile east of the intersection of State Route 150 (Chippenham Parkway) in Chesterfield County, State Project TR00-020-101, PE-102; and State Route 288 from 0.10 mile north of the intersection of State Route 76 to 0.09 mile south of the intersection of U.S. Route 360 (Hull Street Road) in Chesterfield County, State Project TR00-020-101, PE-103; and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed projects as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed projects have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the major design features of these projects be approved in accordance with the plan as proposed and presented at the said Design Public Hearing by the Department's Engineers.

Motion carried.

Moved by Mr. Davidson, seconded by Mr. Vaughan,
that

WHEREAS, in accordance with the provisions of Section 128 of Title 23 - Highways, United States Code, and FHPM 7-7-5, a Design Public Hearing was held in the Linkhorne Middle School, Lynchburg, Virginia, on June 23, 1983, at 7:30 p.m., for the purpose of considering the proposed major design features of State Route 291 (Northwest Expressway Extension) from 0.25 mile south of U.S. Route 221 (Lakeside Drive) to the intersection of U.S. Route 501 (Boonsboro Road) in the City of Lynchburg, State Project 0291-118-101, C-501; Federal Project M-5118(); and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

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WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the major design features of this project be approved in accordance with the plan as proposed and presented at the said Design Public Hearing by the Department's engineers and amended to continue the present access of the Ashby S. Patteson property to Irvington Springs Road.

Motion carried.

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

WHEREAS, Section 33.1-221 of the Code of Virginia provides a fund for fiscal year 1983-84 to ". . . be expended by the Commission for constructing, reconstructing, maintaining or improving access roads within counties, cities and towns to industrial sites on which manufacturing, processing or other establishments will be built under firm contract or are already constructed and to publicly owned airports . . ."; and

WHEREAS, the Highway and Transportation Commission on July 15, 1982, allocated \$160,000 to provide adequate access to the proposed facility of Tidewater Steel Company, Inc. to be located off Outlaw Street in the City of Chesapeake, Project 9999-131-114, C-501, FS701; and

WHEREAS, this allocation was based upon the best estimate available at the time; and

WHEREAS, the City of Chesapeake has now awarded a contract with eligible costs in the amount of \$223,246; and

WHEREAS, the original allocation of \$160,000 is insufficient to provide adequate access to Tidewater Steel Company, Inc.; and

WHEREAS, the City of Chesapeake has, by resolution, requested supplemental access funds to provide adequate access to Tidewater Steel Company, Inc.; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 and has complied with the provisions of the Highway and Transportation Commission's policy on the use of industrial access funds;

NOW, THEREFORE, BE IT RESOLVED, that \$63,246 from the 1983-84 industrial access fund be allocated to provide adequate access to the proposed facility of Tidewater Steel Company, Inc., to be located off Outlaw Street in the City of Chesapeake, Project 9999-131-114, C-501, FS-701.

Motion carried, Mr. Quicke abstaining.

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

WHEREAS, Section 33.1-221 of the Code of Virginia provides a fund for fiscal year 1983-84 to ". . . be expended by the Commission for constructing, reconstructing, maintaining or improving access roads within counties, cities and towns to industrial sites on which manufacturing, processing or other establishments will be built under firm contract or are already constructed and to publicly owned airports . . ."; and

WHEREAS, the Page County Board of Supervisors has, by resolution, requested industrial access funds to serve Comdial Telephone Systems to be located off Route 704 in Page County just east of the corporate limits of the Town of Shenandoah, estimated to cost \$13,000; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 and has complied with the provisions of the Highway and Transportation Commission's policy on the use of industrial access funds;

NOW, THEREFORE, BE IT RESOLVED that \$13,000 of the 1983-84 industrial access fund be allocated to provide adequate access to the proposed facility of Comdial Telephone Systems located just east of the corporate limits of the Town of Shenandoah in Page County, Project 0704-069-151, N-502, contingent upon the industry's entering into a firm contract for the construction of its facilities, and the necessary right of way and adjustment of utilities being provided at no cost to the industrial access fund.

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester,
that the Commission confirm letter ballot action on the following resolution:

WHEREAS, inspection of the twin bridges on Route 81 over New River, Pulaski-Montgomery County Line determined that immediate repairs are needed on the hanger bars of the girder system, and

WHEREAS, Bristol Steel and Iron Works, Bristol, Virginia, has submitted a lump sum price of one hundred seventy three thousand dollars (\$173,000) for refurbishing the hanger bars, which price is considered to be a fair and equitable compensation; and

WHEREAS, the work is to be completed within 12 weeks from the date of beginning of field work;

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NOW, THEREFORE, BE IT RESOLVED, that the Commission authorizes the execution of an Agreement with Bristol Steel and Iron Works, Inc. which establishes a lump sum fee of \$173,000 for the required work.

Motion carried.

Moved by Mr. Sane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, additional hydrodynamic and sedimentation model studies are necessary in order for the Norfolk District Corps of Engineers to fully evaluate the environmental concerns of the proposed Route 664 bridge-tunnel crossing of Hampton Roads, City of Newport News, identified as Project 0664-121-102, C-501, B-615, B-616, B-617, B-618; and

WHEREAS, the Norfolk District Corps of Engineers has engaged the Waterways Experiment Station, (WES) Corps of Engineers, Vicksburg, Mississippi to perform the above studies and a cost estimate has been received from Waterways Experiment Station; and

WHEREAS, compensation for the agreed upon services is on the basis of a lump sum cost of \$305,000, which includes \$195,000 for the hydrodynamic and sedimentation model studies of the lower James River estuary, and \$110,000 for a wave model study of the proposed redesign of the Newport News Small Boat Harbor entrance and jetty; and

WHEREAS, all studies are scheduled to be completed within a period of 14 months; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Commission authorizes the execution of an Agreement with Norfolk District Corps of Engineers which establishes a lump sum fee of \$305,000 for the required services.

Motion carried.

On motion of Mr. Brydges, seconded by Mr. Humphreys, the Commission approved the Norfolk-Virginia Beach Toll Road Preliminary Budget for Current Expenses, Organization and Operation for 1984, as attached.

ORGANIZATION AND OPERATION
 NORFOLK-VIRGINIA BEACH TOLL ROAD
 FOR CALENDAR YEAR 1984

GENERAL ADMINISTRATION

Staff Salaries	\$ 63,500.00	
Social Security, Retirement, Group Life Insurance and Health Care Insurance Workmen's Compensation	19,000.00	
*10% of Tunnels & Toll Facilities Administrative Budget	21,000.00	\$ 103,500.00

OPERATIONS EXPENSES

Operations Salaries	\$ 637,000.00	
Social Security, Retirement, Group Life Insurance and Health Care Insurance Workmen's Compensation	166,000.00	
Brink's Inc. (Pickup of daily collections including counting money from automatics)	42,000.00	
Professional Services (Consulting Engineers & Auditors)	24,000.00	
Rental of Automatic Toll Machines and Gates	154,000.00	
Lights, Heat, Power, Water, Sewer	41,000.00	
Maintenance of Administration Building and Toll Plaza	14,000.00	
ED and Pool Car Rental	19,000.00	
Communications	3,900.00	
Uniforms	4,000.00	
Manual Toll Equipment Parts	6,000.00	
Parts and Supplies (VDH&T Stock)	4,000.00	
Tokens	8,000.00	
Commuter Ticket Printing	20,000.00	
Miscellaneous: Copier Rental, Office Supplies, Forms, Flag Replacement, Replace Adding Machine, etc.	14,000.00	
Contingencies	<u>63,020.00</u>	<u>\$1,219,920.00</u>
TOTAL		<u><u>\$1,323,420.00</u></u>

*Toll Road reimburses the Department 10% of the Tunnels and Toll Facilities Administrative Budget.

Roadway Maintenance will be performed by the Virginia Department of Highways and Transportation and financed from State Funds. Insurance premiums will be paid from Reserve Maintenance Funds.

9/15/83

Moved by Mr. Smith, seconded by Mr. Brydges,
that

WHEREAS, Chapter 622, Item 644 of the Acts of the 1983 General Assembly provides funds for local governing bodies, transportation district commissions or public corporations for the development, implementation, and promotion of experimental mass transportation and ridesharing projects; and

WHEREAS, six proposals have been submitted to the Department requesting assistance for new transit routes and transit promotions; and

WHEREAS, the governing bodies of these applicants have certified that, if the proposals are approved, they shall use this assistance in accordance with the requirements of the grant program; and

WHEREAS, the staff of the Department has evaluated the proposal with regard to need, reasonableness, implementation capability, and potential for success and continuation; and

WHEREAS, the Commission shall approve the projects and allocate the funds designated for the program;

NOW, THEREFORE, BE IT RESOLVED that the State Highway and Transportation Commission hereby directs that \$365,661 be allocated to these applicants to support these experimental projects.

1. TTDC - Airport Service	\$ 58,500
2. TTDC - Chesapeake/Greenbriar Mall Service	28,813
3. PENTRAN - "Midnight Special"	45,670
4. Alexandria - Transit Marketing	57,285
5. Roanoke (Valley Metro) - Route 460 Service	34,603
6. NVTC - Park 'N' Ride Service at West Falls Church Metrorail Station	<u>140,790</u>
Total	\$365,661

Motion carried.

9/15/83

Moved by Mr. Smith, seconded by Mr. Humphreys,
that

WHEREAS, Chapter 622 of the Acts of the General Assembly of 1983 contains a discretionary allocation fund for supporting local public transportation costs for all areas of the Commonwealth and requires authorization by the Commission before these funds can be utilized; and

WHEREAS, these funds may be used to support a maximum of 50% of the public transportation administration costs borne by the localities, a maximum of 95% of the costs borne by the localities for the purchase of fuels, lubricants, tires, and maintenance parts and supplies for public transportation, and for up to 95% of the local or nonfederal share of capital project costs for public transportation and ridesharing equipment facilities and associated costs; and

WHEREAS, Greene County operates a public transportation program and has requested state assistance for eligible public transportation costs; and

WHEREAS, Greene County has applied for \$12,250 in state assistance for 95% of the costs borne by the locality for the purchase of fuels, lubricants, tires, and maintenance parts and supplies for public transportation;

NOW, THEREFORE, BE IT RESOLVED that the State Highway and Transportation Commission authorizes \$12,250 in state aid for public transportation from Chapter 622, Item 644.C11 of the Acts of the General Assembly of 1983 to Greene County, and that the Deputy Commissioner may obligate additional assistance, if necessary, to match revisions to the project.

Motion carried.

Moved by Mr. Smith, seconded by Mr. Guiffre,
that

WHEREAS, Chapter 622, Item 644.C13 of the Acts of the 1983 General Assembly provides funds for local governing bodies, planning district commissions, transportation district commissions, and public corporations to support up to 80% of the local share of all costs associated with the development, implementation and continuation of ridesharing projects approved by the Commission; and

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WHEREAS, two regional agencies have submitted proposals for funds to support their ridesharing programs; and

WHEREAS, the Commission has the ability to transfer funds between items 644.C11 (all areas allocation) and 644.C13 (ride-sharing allocation); and

WHEREAS, the governing bodies of each applicant have certified that, if their proposals are approved, they shall use the ridesharing assistance funds in accordance with the grant program; and

WHEREAS, the staff of the Public Transportation Division has evaluated the proposals and recommends funding for these proposals;

NOW, THEREFORE, BE IT RESOLVED that the State Highway and Transportation Commission hereby authorizes that \$67,700 in Item 644.C11 be transferred to Item 644.C13 for the following projects:

Middle Peninsula Planning District Commission	\$14,468
Tidewater Transportation District Commission (TTDC)	<u>\$53,232</u>
Total	\$67,700

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on the following resolution:

WHEREAS, by resolution dated June 16, 1983, this Commission designated a list of Qualifying Highways for the operation of larger trucks under the Surface Transportation Assistance Act of 1982 to be effective July 1, 1983; and

WHEREAS, this same resolution provided that from time to time as appropriate and with due notice, this Commission may modify any of the stated provisions and may, as well, add or delete designated and Qualifying Highways;

NOW, THEREFORE, BE IT RESOLVED that those additional highways with descriptions hereto attached shall also be designated as Qualifying Highways for operation of larger trucks under the STAA in order to safely provide access to previously designated Qualifying Highways.

Motion carried, Mr. Smalley abstaining on the section on Route 608 in Augusta County, Mr. Smith voting no.

Urban Extensions

<u>Route</u>	<u>From</u>	<u>To</u>
11 (Town of Woodstock)	Route 42	Route 671 (Lakeview Drive)
13 (City of Norfolk)	Route I-64	Route I-264
42 (Town of Woodstock)	Route I-81	Route 11
58 (City of Norfolk)	Route 13	Ingleside Road
117 (City of Roanoke)	Route I-581	0.50 East of Route I-581
128 (City of Lynchburg)	Route 29/460 Bypass	Woodall Road
337 (City of Norfolk)	Route I-564	Route 406 (International Terminal Boulevard)
337 (City of Norfolk)	Route 168 (Tidewater Drive)	Claremont Avenue (At Route 58 Interchange)
401 (City of Alexandria)	SCL Alexandria (Van Dorn Street)	Edsall Road
406 (City of Norfolk)	Route I-564	Route 337 (Hampton Boulevard)
419 (City of Salem)	Route I-81	Midland Road
460 (City of Norfolk)	Route 168/337 (Tidewater Drive)	Route I-264
460 Bus. (City of Blacksburg)	Route 460	Industrial Park Road

Secondary Routes

<u>Route</u>	<u>From</u>	<u>To</u>
606 (Spotsylvania County)	Route I-95	Route 1
608 (Augusta County)	Route I-64	0.90 Mile North Route I-64
613 (Fairfax County)	Route I-95 (Van Dorn Street)	SCL Alexandria
654 (Augusta County)	Route I-81	Route 340
656 (Hanover County)	Route 1	Route 813
809 (Hanover County)	Route 1259	Route 813
813 (Hanover County)	Route 656	Route 809
827 (Chesterfield County)	Route 10	0.77 Mi. S. Rt. 697
1261 (Hanover County)	Route 656	Route 809

9/15/83

Moved by Mr. Davidson, seconded by Mr. Quicke,
that

WHEREAS, Piedmont Drive from Park Avenue, north of Riverside Drive (Route 58) to Central Boulevard (Route 29) near Coleman Street in the City of Danville, State Project U000-108-102, C-501, was designated as a Limited Access Highway by the Highway and Transportation Commission on August 16, 1979; and

WHEREAS, a break in the Limited Access was granted right of Ramp B, Route 29 interchange, expressly for Dan River Mills, and other breaks, as shown on the plans; and

WHEREAS, the City of Danville, in a letter dated April 21, 1983, has requested a break in the Limited Access left and right of Sta. 126+75; and

WHEREAS, this break in the Limited Access will serve a future street; and

WHEREAS, this break in the Limited Access will provide adequate sight distance and will not adversely affect traffic on Piedmont Drive;

NOW, THEREFORE, BE IT RESOLVED, the resolution dated August 16, 1979, be amended, that access be provided right and left of Sta. 126+75 on Piedmont Drive.

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester,
that the Commission confirm letter ballot action on the following resolution:

WHEREAS, Section 46.1-171.1 of the Code of Virginia, as amended, authorizes the State Highway and Transportation Commission, when necessary to promote safety, to prohibit the use of interstate highways, as described in Section 33.1-48 of the Code, and other controlled access highways or any part thereof by any or all of the following: (1) Pedestrians, (2) persons riding bicycles or mopeds, (3) horsedrawn vehicles, (4) self-propelled machinery or equipment, and (5) animals led, ridden or driven on the hoof; and

WHEREAS, engineers of the Department of Highways and Transportation, after considering this matter as it applies to controlled access highways and in the interest of public safety, have recommended that such persons, animals and vehicles be excluded from specified segments of controlled access highways;

NOW, THEREFORE, BE IT RESOLVED, that (1) pedestrians, (2) persons riding bicycles or mopeds, (3) horse-drawn vehicles, (4) self-propelled machinery or equipment, and (5) animals led, ridden or driven on the hoof be prohibited from using the following segments of controlled access highways. Motion carried.

Route 460 (Bedford By-Pass)

From: Route 460 Business near the E.C.L. Bedford
To : Route 460 Business near the W.C.L. Bedford

Route 460 (Pearisburg By-Pass)

From: Route 460 Business East of E.C.L. Pearisburg
To : Route 640 West of W.C.L. Pearisburg

Route 220 (Martinsville By-Pass)

From: Route 220 Business Northwest of Martinsville
To : Route 220 Business South of Martinsville

Route 220 Rocky Mount By-Pass)

From: Route 220 Business North of Rocky Mount
To : Route 220 Business South of Rocky Mount

Route 220 (Roy L. Webber Expressway)

From: Route 24 (Elm Avenue) bridge at Interstate Route 581 City of Roanoke
To : Bridge over Route 419 near S.C.L. Roanoke

Route 29 Amherst County

From: Route 671 South Intersection
To : Route 671 North Intersection

From: Route 29 Business South Intersection
To : Route 739 & 29 Business North Intersection

Route 460 (City of Lynchburg)

From: Route 501 Interchange
To : Route 128 & Chandlers Mountain Road

Route 224 (City of Lynchburg)

From: Route 460 & 128 Interchange
To : Route 29

Route 29 (Campbell County)

From: Route 29 Business North Intersection
To : Pittsylvania County Line

Route 29 (Pittsylvania County)

From: Pittsylvania County Line
To : Route 29 Business South Intersection

From: Route 29 Business North Intersection
To : Route 29 Business South Intersection

Route 265 (Pittsylvania County)

From: N. C. State Line
To : Route 86

Route 460 (Pittsylvania County)

From: Route 15 Business East Intersection
To : Route 15 Business West Intersection

Route 360 (Pittsylvania County)

From: Route 15 & 712 Interchange
To : Route 15 & 360 Business

Route 150 (Chippenham Parkway)

From: Interstate Route 95
To : Route 417 (Forest Hill Avenue)

Route 262 (Augusta County)

From: Route 11

To : Interstate Route 81

Route 58 (Suffolk By-Pass)

From: 3.31 Mi. West of Intersection Route 460 & 58 By-Pass

To : 4.97 Mi. East of Intersection Route 460 & 58 By-Pass

9/15/83

Moved by Mr. Guiffre, seconded by Mr. Smith,
that

WHEREAS, in accordance with the provisions of Section 128 of Title 23 - Highways, United States Code, and FHPM 7-7-5, a Location and Design Public Hearing was held in the Kenmore Junior High School, Arlington, Virginia, on April 21, 1983, at 7:30 p.m., for the purpose of considering the proposed location and major design features of U.S. Route 50 (Arlington Boulevard) from 0.11 mile east of N. Granada Street to 0.03 mile west of North Madison Street in Arlington County, State Project 0050-000-115, C-501, C-502; Federal Project F-108-1(103); and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed;

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers, and amended to use a bridge in lieu of quad 10'x12' box culvert for Carlin Springs Road over Four Mile Run.

Motion carried.

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

WHEREAS, under the authority of Section 33.1-62 of the Code of Virginia (1950), as amended, the State Highway and Transportation Commission is authorized to designate Virginia Byways as recommended by the Commission of Outdoor Recreation after providing the opportunity for public hearing; and

WHEREAS, the staffs of the Commission of Outdoor Recreation and the Department of Highways and Transportation have reviewed and determined that Route 802 in Fauquier and Culpeper counties, between Route 229 in Culpeper and the intersection of Routes 15/29 in Warrenton, and Routes 245 and 626, between the intersection with Route 17 and the south corporate limits of Middleburg at the Loudoun-Fauquier County Line, substantially meets the adopted criteria for Virginia Byways; and

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WHEREAS, the Commission of Outdoor Recreation, at its regular meeting on June 28, 1983, recommended to the Department of Highways and Transportation that Routes 802, 245, and 626, heretofore described, be designated as Virginia Byways; and

WHEREAS, the required procedures have been followed and a public hearing was not requested;

NOW, THEREFORE, BE IT RESOLVED, that Routes 802, 245, and 626, herein described, be designated as Virginia Byways.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,
that

WHEREAS, House Bill 590, Chapter 258, Acts of Assembly 1983, mandates that all State Agencies take advantage of the Set-Off Debt Collection Act pursuant to Section 58-19:8 of the Act, the Department promulgates these Rules and Regulations under authority of § 58-19.13 and § 33.1-12(7) of the Code and in accordance with the Administrative Process Act § 9-6 14:7 of the Code to comply with above said House Bill No. 590; and

WHEREAS, the State Highway and Transportation Commission on June 16, 1983 and again on July 21, 1983, directed the Department to conduct a public hearing to receive public comment on these Rules and Regulations; and

WHEREAS, pursuant to Section 9-6 14:7 of the Code of Virginia (1950) as amended, Mr. J. T. Warren, the Commissioner's specially designated subordinate, conducted a public hearing in Richmond, Virginia on Wednesday, September 7, 1983; and

WHEREAS, pursuant to Sections 9-6 14:7 and 9-6 14:9, a revised statement as to the basis, purpose, impact and summary of the regulation together with a description and comment on public hearing presentations has been enclosed, which is to be incorporated herein; and

WHEREAS, these Rules and Regulations of the Virginia Department of Highways and Transportation, have now been formulated; and

WHEREAS, the Notice of Hearing left the Hearing Docket open for ten days after the Public Hearing or until September 17, 1983; and

WHEREAS, no member of the public attended the Public Hearing held September 7, 1983; and

9/15/83

WHEREAS, it is important that these regulations be in place by January 1, 1984 and the next Commission Meeting is October 1983;

NOW, THEREFORE, BE IT RESOLVED, that the Rules and Regulations now formulated are adopted as requested this date subject to the receipt of any written material by the Department within 10 days of September 7, 1983. A mail ballot shall be circulated on September 20, to confirm the adoption of these regulations after the expiration of the time for receipt of written comments. If any material is received, it shall be circulated to the Members of the Commission forthwith along with the Hearing Officer's recommendation and the mail ballot.

The Rules and Regulations will become effective January 1, 1984, or as soon thereafter as the Administrative Process Act will allow, whichever is later in time. (see pages 304-307)

Motion carried.

Moved by Mr. Vaughan, seconded by Mr. Bane,
that

WHEREAS, Section 33.1-221 of the Code of Virginia provides a fund for fiscal year 1983-84 to ". . . be expended by the Commission for constructing, reconstructing, maintaining or improving access roads within counties, cities and towns to industrial sites on which manufacturing, processing or other establishments will be built under firm contract or are already constructed and to publicly owned airports . . ."; and

WHEREAS, The City of Roanoke has, by ordinance, requested industrial access funds to serve Cooper Industries, Inc. to be located in the north eastern section of the City off Route 460, and is estimated to cost \$260,000; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 and has complied with the provisions of the Highway and Transportation Commission's policy on the use of industrial access funds;

NOW, THEREFORE, BE IT RESOLVED, that \$260,000 of the 1983-84 Industrial Access Fund be allocated to provide adequate access to the proposed facility of Cooper Industries, Inc. located in the City of Roanoke, Project 9999-128-206, C-501, contingent upon (1) the necessary right of way and adjustment of utilities being provided at no cost to the Commonwealth; (2) the industry's entering into a firm contract for the construction of its facilities; and (3) the City of Roanoke's entering into an agreement with the Department for the administration of the project.

Motion carried.

9/15/83

Moved by Mr. Vaughan, seconded by Mr. Davidson,
that

WHEREAS, Section 33.1-221 of the Code of Virginia provides a fund for fiscal year 1983-84 to ". . . be expended by the Commission for constructing, reconstructing, maintaining or improving access roads within counties, cities and towns to industrial sites on which manufacturing, processing or other establishments will be built under firm contract or are already constructed and to publicly owned airports . . ."; and

WHEREAS, the Botetourt County Board of Supervisors has, by resolution, requested industrial access funds to serve Gala Industries, Inc., which is located near Eagle Rock, and is estimated to cost \$75,000; and

WHEREAS, it appears that this request falls within the intent of Section 33.1-221 and has complied with the provisions of the Highway and Transportation Commission's policy on the use of industrial access funds;

NOW, THEREFORE, BE IT RESOLVED, that \$75,000 of the 1983-84 Industrial Access Fund be allocated to provide adequate access to the expanding facility of Gala Industries, Inc., located near Eagle Rock, Project 0682-011-200, M-502, contingent upon (1) the necessary right of way and adjustment of utilities being provided at no cost to the industrial access fund; and (2) the industry's entering into a firm contract for the construction of its facility.

Motion carried.

Moved by Mr. Smith, seconded by Mr. Humphreys,
that

WHEREAS, in accordance with Department policy, a firm proposal has been received from the consulting firm of Byrd, Tallamy, MacDonald and Lewis, Falls Church, Virginia, for Stage I, Preliminary Structure Plans and Estimates; and Stage II, Contract Structure Plans and Estimates, for engineering services in connection with the design of three highway bridges on Route 95 in Prince George County (South of Petersburg) identified as:

9/15/83

Route 95, Project 0095-074-101, B-609, B-610,
B-634; Route 295 - Route 95 Interchange

B-609 - Ramp A over SBL Route 295
B-610 - Relocated NBL Route 95 over Ramp A
B-634 - Relocated NBL Route 95 over SBL
Route 295; and

WHEREAS, the urgency of commencing, the magnitude, and time limit to complete the design work requires augmentation of the Department's design staff; and

WHEREAS, the consulting firm of Byrd, Tallamy, MacDonald and Lewis, is in the best position to provide the service more expeditiously and economically; and

WHEREAS, compensation for the agreed upon services is on the basis of a Lump Sum Fee of \$170,120; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Commission authorize the execution of an Agreement with Byrd, Tallamy, MacDonald and Lewis, for a Lump Sum Fee of \$170,120.

Motion carried.

Moved by Mr. Smith, seconded by Mr. Vaughan,
that

WHEREAS, in accordance with Department policy, a firm proposal has been received from the consulting firm of Deleuw, Cather and Company of Virginia, Fairfax, Virginia, for Stage I, Preliminary Structure Plans and Estimates; and Stage II, Contract Structure Plans and Estimates, for engineering services in connection with the design of six highway bridges on Route 76 in Chesterfield County identified as:

Route 76, Project TR00-020-101, B-601, B-602,
B-607, B-621, B-622, B-623
(Powhite Parkway Extension)

B-601 - WBL Rte. 60 over Rte. 76
B-602 - EBL Rte. 60 over Rte. 76
B-607 - EBL Rte. 76 over Powhite Creek
B-621 - Rte. 672 (Adkins Road) over Rte. 76
B-622 - Rte. 647 (Reams Road) over Rte. 76
B-623 - Rte. 76 over Rte. 2510 (Redbridge Road); and

9/15/83

WHEREAS, the urgency of commencing, the magnitude, and time limit to complete the design work requires augmentation of the Department's design staff; and

WHEREAS, the consulting firm of Deleuw, Cather and Company of Virginia, is in the best position to provide the service more expediently and economically; and

WHEREAS, compensation for the agreed upon services is on the basis of a Lump Sum Fee of \$208,260; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Commission authorize the execution of an Agreement with DeLeuw, Cather and Company of Virginia, for a Lump Sum Fee of \$208,260.

Motion carried.

Moved by Mr. Bane, seconded by Mr. Vaughan,
that

WHEREAS, in accordance with Section 46.1-171.2 of the Code of Virginia, a public hearing was held by the Department February 8, 1983, at 7:00 p.m. in the Bensley-Bermuda Volunteer Rescue Squad Building, pursuant to a formal request by the Chesterfield County Board of Supervisors to consider the restriction of the truck traffic on the following sections of secondary routes:

- Route 615 (Coxendale Road)
 - From: Route 616 (Osborne Road)
 - To: Route 95 Overpass (Richmond-Petersburg Turnpike)
 - Len.: 0.60 Mile
- Route 616 (Osborne Road)
 - From: Route 1 (Jefferson Davis Highway)
 - To : Route 615 (Coxendale Road)
 - Len.: 0.25 Mile
- Route 1537 (Rio Vista Street)
 - From: Route 1 (Jefferson Davis Highway)
 - To : Route 615 (Coxendale Road)
 - Len.: 0.45 Mile
- Route 1538 (Arcadia Avenue)
 - From: Route 1 (Jefferson Davis Highway)
 - To : Route 1539 (Glendale Street)
 - Len.: 0.23 Mile; and

9/15/83

WHEREAS, proper notice was given in advance and all persons present were afforded full opportunity to express their opinions and recommendations for or against the proposal presented, and their statements being duly recorded; and

WHEREAS, careful consideration has been given to the recommendations received, the structural condition of the roads, available alternate routes, and the past practices of the Department;

NOW, THEREFORE, BE IT RESOLVED that the above cited sections of Routes 615, 616, 1537 and 1538 within Chesterfield County be restricted to through truck traffic in accordance with Section 46.1-171.2 of the Code of Virginia.

Motion carried, Messrs. Guiffre and Humphreys voting no.

Moved by Mr. Brydges, seconded by Mr. Quicke,
that

WHEREAS, in accordance with Section 46.1-171.2 of the Code of Virginia, a public hearing was held by the Department May 25, 1983, at 7:30 p.m. in the Grafton Bethel Elementary School, pursuant to a formal request by the York County Board of Supervisors to consider the restriction of the truck traffic on the following secondary route:

Route 620 (Oriana Road)
From: Route 17
To : Newport News City Limits
Len.: 2.55 Miles, and

WHEREAS, proper notice was given in advance and all persons present were afforded full opportunity to express their opinions and recommendations for or against the proposal presented, and their statements being duly recorded; and

WHEREAS, careful consideration has been given to the recommendations received, the structural condition of the roads, available alternate routes, and the past practices of the Department:

NOW, THEREFORE, BE IT RESOLVED that the above cited section of Route 620 within York County be restricted to through truck traffic in accordance with Section 46.1-171.2 of the Code of Virginia.

Motion carried, Mr. Guiffre voting no.

9/15/83

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on bids received July 26, 1983, on the following projects and authorize execution of contracts by the Deputy Commissioner or Chief Engineer:

Route 33, Project 0033-036-101, M-502; N-501

From Int. Routes 17 and 33 (Glenns) To: Int. Routes 33 & 374, Gloucester County. Award of contract to low bidder, Basic Construction Company, Newport News, Virginia.

Bid	\$199,900.00
Engineering and contingencies	31,584.20
State Force Work	82,797.00
Total amount chargeable to project	314,281.20

Route 40, Project 0040-033-106, C-502, D-609

From 2.25 Mi. East N&W Railroad To 4.51 Mi. East N&W Railroad, Franklin County. Award of contract to low bidder, Haymes Bros., Inc., Chatham, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$559,223.61	\$ 100.00
Engineering and contingencies	87,567.33	15.80
State Force Work	6,948.00	
Total amount chargeable to project	653,854.74	

Route 64, Project R064-037-707, M-400

From 0.7 Mi. East Route 617 (EBL) To 5.5 Mi. East Route 617 (EBL) And From Route 522 (EBL) To 3.5 Mi. East Route 522 (EBL) From Route 522 (WBL) To 4.1 Mi. West Route 617 (WBL), Goochland County. Award of contract to low bidder, MEGA Contractors, Inc., Richmond, Virginia.

Bid	\$317,344.95
Engineering and contingencies	50,140.50
Total amount chargeable to project	367,485.45

\$367,485.45 to be financed 90% FHWA 4R Funds and 10% Virginia Construction Funds.

9/15/83

Route 85, Project R085-058-704, M-400; R085-012-702, M-400

From 0.28 Mi. North Route 1 (SBL) To Brunswick C. L. (SBL) And From North End Route 1 Bridge (SBL) To South End Route 614 Bridge (SBL) And From exist ramp from scales (NBL) To South End Route 1 Bridge (NBL) 11.81 Mi. Plant Mix Overlay, Mecklenburg and Brunswick Counties. Award of contract to low bidder, B. P. Short & Son Paving Company, Inc., Petersburg, Virginia.

Bid	\$495,371.11
Engineering and contingencies	78,268.64
Total amount chargeable to project	573,639.75

\$573,639.75 to be financed 90% FHWA 4R Funds & 10% Va. Construct. Funds.

Project 0166-131-101, C-501, B-601

Bridge and Approaches at Mill Dam Creek, City of Chesapeake. Award of contract to low bidder, W. C. English, Inc., Altavista, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$346,800.00	\$65,180.00
Engineering and contingencies	54,794.40	10,298.44
State Force Work	8,955.97	
Utilities	3,138.60	
Total amount chargeable to project	489,167.41	

Accounts Receivable - City of Chesapeake - \$24,458.37

Route 220, Project 0220-080-509, M-501, B-609; 0220-080-1039, SR01

From 0.12 Mi. South Route 676 To Int. Route 657, Pave. Planing, Latex Overlay, Bit. Conc. Overlay & Safety Improvements, Roanoke County. Award of contract to low bidder, Lanford Brothers Company, Inc., Roanoke, Virginia.

Bid	\$341,969.15
Engineering and contingencies	53,987.99
State Force Work	7,179.60
Total amount chargeable to project	402,863.74

\$259,327.51 (Structure Repair Project) To be financed 100% Primary Maintenance Replacement Funds.

\$48,536.23 to be provided in future Primary Construction Allocations.

9/15/83

Route 601, Project 0601-026-176, N-501

From Int. Route 600 To Int. Route 718, Dinwiddie County. Award of contract to low bidder, B. P. Short and Son Paving Company, Inc., Petersburg, Virginia.

Bid	\$227,264.50
Engineering and contingencies	35,907.79
State Force Work	7,167.24
Total amount chargeable to project	270,339.53

Route 603, Project 0603-099-141, M-501

From Int. Route 646 To 0.367 Mi. S. Int. Route 646, York County. Award of contract to low bidder, Jack L. Massie Contractor, Inc., Williamsburg, Virginia.

Bid	\$ 82,785.50
Engineering and contingencies	13,080.11
State Force Work	5,835.16
Total amount chargeable to project	101,700.77

Route 616, Project 0616-087-167, M-503

From 1.893 Mi. North Int. Route 35 To 0.762 Mi. North Int. Route 728, Southampton County. Award of contract to low bidder, J. H. Lee & Sons, Inc., Courtland, Virginia.

Bid	\$156,778.40
Engineering and contingencies	24,770.99
State Force Work	5,790.00
Total amount chargeable to project	187,339.39

Route 640, Project 0640-004-143, M-502, D-616, M-503

From 1.892 Mi. East Int. Route 691 To 0.793 Mi. West Int. Route 649, Amelia County. Award of contract to low bidder, Norcarva Constructors, Inc., Clarksville, Virginia.

Bid	\$199,601.00
Engineering and contingencies	31,536.96
State Force Work	1,499.61
Total amount chargeable to project	232,637.57

\$38,068.95 to be financed in the 1984-85 Secondary Construction Funds.

9/15/83

Route 642, Project 0642-007-228, N-501

From Int. Route 250 To Int. Route 794, Augusta County. Award of contract to low bidder, Echols Brothers, Inc., A Sub. of Koppers Company, Inc., Staunton, Virginia.

Bid	\$ 99,718.00
Engineering and contingencies	15,755.44
Total amount chargeable to project	115,473.44

Route 643, Project 0643-007-216, M-501

From 0.099 Mi. South Int. Route 635 & 643 To 0.035 Mi. North Int. Route 635 & 643, Augusta County. Award of contract to low bidder, Torrence Construction Inc., Charlottesville, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$75,502.50	\$ 300.00
Engineering and contingencies	11,929.39	47.40
State Force Work	2,316.00	
Total amount chargeable to project	90,095.29	

\$27,735.20 to be provided in the 1984-85 Secondary Construction Funds.

Route 645, Project 0645-074-143, M-501

From Int. Conn. Route 645 To Int. Route 725, Prince George County. Award of contract to low bidder, B. P. Short & Son Paving Company, Inc., Petersburg, Virginia.

Bid	\$166,766.87
Engineering and contingencies	26,349.16
State Force Work	2,530.23
Total amount chargeable to project	195,646.26

Route 662, Project 0662-038-180, C-501, C-502, B-622

From 0.122 Mi. West Int. Route 611 To Int. Route 611, Grayson County. Award of contract to low bidder, Fort Chiswell Construction Corporation, Max Meadows, Virginia.

Bid	\$233,021.00
Engineering and contingencies	36,817.32
State Force Work	4,863.60
Total amount chargeable to project	274,701.92

\$39,060.95 to be provided in the 1984-85 Secondary Construction Funds.

9/15/83

Route 669, Project 0669-061-211, N-501

From Int. Route 668 To North Carolina State Line , City of Suffolk.
Award of contract to low bidder, The Blair Brothers, Inc., Suffolk,
Virginia.

Bid	\$67,040.00
Engineering and contingencies	10,592.32
State Force Work	3,654.65
Total amount chargeable to project	81,286.97

\$22,227.32 to be provided in the 1984-85 Secondary Construction Funds.

Route 670, Project 0670-026-501, M-501

Route 670 over Tributary to Arthur's Swamp 1.0 Mi. South Int. Route 1,
Dinwiddie County. Award of contract to low bidder, B. P. Short & Son
Paving Company, Inc., Petersburg, Virginia.

Bid	\$65,244.35
Engineering and contingencies	10,308.61
State Force Work	231.60
Total amount chargeable to project	75,784.56

Route 679, Project 0679-046-199, N-501

From Int. Route 709 To 0.60 Mi. NE Route 699, Isle of Wight County.
Award of contract to low bidder, The Blair Brothers, Inc., Suffolk,
Virginia.

Bid	\$63,113.00
Engineering and contingencies	9,971.85
State Force Work	3,536.53
Total amount chargeable to project	76,621.38

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester,
that the Commission confirm letter ballot action on bids received
July 26, 1983, on the following project and authorize execution of
contract by the Deputy Commissioner or Chief Engineer:

9/15/83

Route 867 & 727, Projects 0867-082-180, M-502, M-503, B-643; 0867-264-180, M-501; 0727-082-201, B-651

From 0.561 Mi. East Int. Route 11 To Int. Route 11 (Mount Crawford) And From Route 727 over Mossy Creek To 0.03 Mi. West Int. Route 747, Rockingham County. Award of contract to low bidder, Perry Engineering Company, Inc., Winchester, Virginia.

Bid	\$421,632.95
Engineering and contingencies	66,618.01
State Force Work	15,633.00
Total amount chargeable to project	503,883.96

\$6,441.26 to be provided in the 1984-85 Secondary Construction Funds.

Motion carried, Mr. Smalley abstaining.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action rejecting bids received July 26, 1983, on the following projects and authorize readvertisement:

Project U000-102-104, C-501, B-603

From 0.042 Mi. West Int. Haddon Street To 0.066 Mi. West Int. Haddon Street, City of Bristol. Low bid being 18.3% over the estimate.

Routes 637 & 638, Projects 0637-099-134, C-501; 0638-099-135, C-501

From Int. Route 17 To Int. Route 638 And From Int. Route 637 To 0.038 Mi. South Int. Route 238, York County. Low bid being 20.5% over the estimate.

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on bids received July 12, 1983, on the following projects and authorize execution of contracts by the Deputy Commissioner or Chief Engineer:

Parking Lot, Project P000-029-101, M-501

Int. Routes 675 and 828, Commuter Parking Lot, Fairfax County. Award of contract to low bidder, Shirley Contracting Corporation, Lorton, Virginia.

Bid	\$146,207.50
Engineering and contingencies	23,100.79
State Force Work	5,579.24
Total amount chargeable to project	174,887.53

\$24,887.53 to be provided in future Urban Construction Allocations.

9/15/83

Route 3, Project 0003-051-111, C-501

From 1.342 Mi. North NCL Kilmarnock To 0.001 Mi. South NCL Kilmarnock, Lancaster County. Award of contract to low bidder, Richard L. Crowder Construction, Inc., Petersburg, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$1,216,885.06	\$ 9.00
Engineering and contingencies	192,188.84	1.42
State Force Work	11,012.58	
Total amount chargeable to project	1,420,096.90	

\$525,096.90 to be provided in future Primary Construction Allocations.

Route 10, Project 0010-127-101, C-502; 0010-020-110, C-502, B-610, B-611

From 0.151 Mi. South Walmsley Boulevard To 0.414 Mi. South SCL Richmond, City of Richmond and Chesterfield County. Award of contract to low bidder, E. G. Bowles Company, Richmond, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$2,637,723.09	\$ 40.00
Engineering and contingencies	416,444.25	6.32
State Force Work	22,812.60	
Utilities	73,365.12	
Total amount chargeable to project	3,150,391.38	

\$883,199.68 to be provided in future Urban Construction Allocations.

\$581,658.43 to be provided in future Primary Construction Allocations.

Route 60, Project 0060-122-101, C-501, D-601

Bridge Replacement at Lake Whitehurst with Box Culvert, City of Norfolk. Award of contract to low bidder, Winkelman, Inc., & Sub., Norfolk, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$504,596.00	\$4,185.00
Engineering and contingencies	79,726.17	661.23
State Force Work	9,185.26	
Total amount chargeable to project	598,353.65	

Accounts Receivable City of Norfolk - \$29,635.68

Accounts Receivable Virginia Natural Gas - \$4,846.23

9/15/83

Route 123, Projects 0123-029-111, C-504, B-605; 0123-029-1033, SR01

From 0.173 Mi. South Southern Railroad To 0.093 Mi. North Southern Railroad, Fairfax County. Award of contract to low bidder, Moore Brothers Company, Inc., Verona, Virginia.

Bid	\$1,073,229.00
Engineering and contingencies	169,570.18
State Force Work	9,158.62
Railroad	31,883.00
Total amount chargeable to project	1,283,840.80

Fairfax County Water Authority	\$12,784.32
Chesapeake and Potomac Telephone Company	\$12,448.50
Washington Gas Light	\$ 4,747.80

\$158,611.59 to be provided in future Primary Construction Allocations.

Route 168, Project 0168-122-102, C-501, B-602

From 0.200 Mi. South of Norview Avenue To 0.065 Mi. North of Norview Avenue, City of Norfolk. Award of contract to low bidder, Luke Construction Company, Inc., Virginia Beach, Virginia.

Bid	\$1,188,200.95
Engineering and contingencies	187,577.75
State Force Work	19,423.13
Utilities	33,012.36
Total amount chargeable to project	1,428,214.19

Accounts Receivable: City of Norfolk	- \$70,944.06
C & P Telephone	- 6,438.48
Va. Natural Gas	- 2,895.00

\$47,936.65 to be provided in future Urban Construction Allocations.

Route 220, Project 0220-080-108, C-501

From 0.040 Mi. South Int. Route 615 To 0.616 Mi. South Int. Route 615, Roanoke County. Award of contract to low bidder, Marshall Construction Company, Inc., Danville, Virginia.

Bid	\$325,719.42
Engineering and contingencies	51,463.67
State Force Work	6,948.00
Total amount chargeable to project	384,131.09

\$209,131.09 to be provided in future Primary Construction Allocations.

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Route 221, Project 0221-080-103, C-501

From 0.482 Mi. North Route 419 To 0.023 Mi. North Route 419, Roanoke County. Award of contract to low bidder, Adams Construction Company & Sub., Roanoke, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$1,079,792.31	\$ 5,690.00
Engineering and contingencies	170,291.18	899.02
State Force Work	16,704.15	
Total amount chargeable to project	1,273,376.66	

\$762,405.67 to be provided in future Primary Construction Allocations.

Route 464, Project 0464-131-101, B-610, B-611, B-612, B-613, B-620
B-621, B-625, B-626

Bridges Only; 1.20 Mi. North Int. Route 644 - 1.50 Mi. North Int. Route 460, City of Chesapeake. Award of contract to low bidder, Saylor Marine Corporation, Savannah, Georgia.

Bid	\$7,957,293.60
Engineering and contingencies	1,256,936.39
Railroad	16,000.00
Total amount chargeable to project	9,230,229.99

\$3,038,229.99 to be provided in future Interstate Construction Allocations.

Route 605, Project 0605-080-193, C-502; 0605-011-168, C-502, D-646

From Int. Route 627 To Int. Route 654, Roanoke and Botetourt Counties. Award of contract to low bidder, H. T. Bowling, Inc., Radford, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$243,665.85	\$ 2,714.00
Engineering and contingencies	38,499.20	428.81
State Force Work	3,647.70	
Total amount chargeable to project	288,955.56	

\$114,446.38 to be provided in the 1984-85 Secondary Construction Funds.

Route 611, Project 0611-089-128, C-502

From 0.122 Mi. South Int. Route 636 To 0.836 Mi. South Int. Route 636, Stafford County. Award of contract to low bidder, J. L. Kent & Sons, Inc., Spotsylvania, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$180,217.25	\$ 2.00
Engineering and contingencies	28,474.32	.32
State Force Work	1,829.64	
Total amount chargeable to project	210,523.53	

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Route 622, Project 0622-068-152, N-501

From Int. Route 633 To Int. Route 672, Orange County. Award of contract to low bidder, W. Frank Moore, Inc., Appomattox, Virginia.

Bid	\$223,703.40
Engineering and contingencies	35,345.14
State Force Work	6,148.98
Total amount chargeable to project	265,197.52

\$1,361.41 to be provided in the 1984-85 Secondary Construction Funds.

Route 626, Project 0626-067-138, C-501

From 0.164 Mi. West WCL Blackstone To 0.140 Mi. West Int. Route 658, Nottoway County. Award of contract to low bidder, W. W. Warsing, Inc., Crewe, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$280,546.56	\$5,450.00
Engineering and contingencies	44,326.36	861.10
State Force Work	2,895.00	
Total amount chargeable to project	334,079.02	

Accounts Receivable - Town of Blackstone - \$1,262.22. \$51,376.24 to be provided in the 1984-85 Secondary Construction Funds.

Route 629, Project 0629-029-216, C-501, D-663, D-681

From Int. Route 1 To 0.159 Mi. South Int. Route 1, Fairfax County. Award of contract to low bidder, Shirley Contracting Corporation, Lorton, Virginia.

	<u>Construction</u>	<u>Right of Way</u>
Bid	\$1,059,794.90	\$ 2,550.00
Engineering and contingencies	167,447.59	402.90
Total amount chargeable to project	1,230,195.39	

\$615,097.70 Accounts Receivable - Fairfax County.
\$615,097.69 Revenue Sharing Project - State Matching Funds.

Route 629, Project 0629-050-6910, SR02

Route 629 over Mattaponi River, Bridge Repairs, King William County. Award of contract to low bidder, Crowder Contracting Company, Inc., Virginia Beach, Virginia.

Bid	\$121,300.00
Engineering and contingencies	19,165.40
Total amount chargeable to project	140,465.40

\$140,465.40 to be financed from the King William County Secondary Maintenance Replacement Funds.

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Route 648, Project 0648-073-132, C-501, C-502, B-620

From 1.270 Mi. West Int. Route 643 To 1.611 Mi. West Int. Route 643
And From 1.802 Mi. West Int. Route 643 To 2.162 Mi. West Int. Route
643 And From 1.611 Mi. West Int. Route 643 To 1.802 Mi. West Int.
Route 643, Prince Edward County. Award of contract to low bidder,
Haymes Brothers, Inc., Chatham, Virginia.

Bid	\$466,929.16
Engineering and contingencies	73,774.81
State Force Work	8,627.10
Total amount chargeable to project	549,331.07

\$25,308.57 to be provided in the 1984-85 Secondary Construction Funds.

Route 650, Project 0650-040-170, M-501

From Int. Route 629 To 0.794 Mi. North Reloc. Route 621, Greensville
County. Award of contract to low bidder, J. H. Lee and Sons, Inc.,
Courtland, Virginia.

Bid	\$168,364.50
Engineering and contingencies	26,601.59
State Force Work	6,573.97
Total amount chargeable to project	201,540.06

\$201,540.06 from 1981-82 Industrial Access Funds, Authorization #29,
dated 7-20-83.

Route 659, Project 0659-074-158, N-501

From Int. Route 619 To 1.00 Mi. South Route 619, Prince George County.
Award of contract to low bidder, Prince Paving Company, Inc., Hopewell,
Virginia.

Bid	\$74,460.00
Engineering and contingencies	11,764.68
State Force Work	665.85
Total amount chargeable to project	86,890.53

Route 713, Project 0713-009-166, C-501, D-624

(One Mile South Int. Route 24), Bedford County. Award of contract to
low bidder, S. R. Gay & Company, Inc., Lynchburg, Virginia.

Bid	\$145,912.27
Engineering and contingencies	23,054.14
State Force Work	2,895.00
Total amount chargeable to project	171,861.41

Motion carried.

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Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on bids received July 12, 1983, on the following projects and authorize execution of contracts by the Deputy Commissioner or Chief Engineer:

Route 629, Project 0629-039-125; N-501

From Route 633 To 1.0 Mi. South Route 633, Greene County. Award of contract to low bidder, Buckley Lages, Inc., Winchester, Virginia.

Bid	\$149,357.00
Engineering and contingencies	23,598.41
State Force Work	907.58
Total amount chargeable to project	173,862.99

Motion carried, Mr. Smalley, abstaining.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action rejecting bids received July 12, 1983, on the following projects and authorize readvertisement:

Route 301, Project 0301-109-103, C-501

From 0.294 Mi. North of SCL Emporia To 0.083 Mi. S. of S. End Bridge over Meherrin River Exception: Sta. 10+30.00 To Sta. 34+08.00, City of Emporia. Low Bid being 32.6% over the estimate.

Route 611, Project 0611-040-149; M-501

From 0.009 Mi. East Int. Route 658 To 0.594 Mi. West Int. Route 667, Greensville County. Low bid being 22.3% over the estimate.

Route 619, Project 0619-028-133, M-502

From 0.030 Mi. North Int. Route 704 To Int. Route 618, Essex County. Low bid being 53.9% over the estimate.

Route 648, Project 0648-031-148, C-501, B-617

From 0.184 Mi. South of Int. Route 610 To 0.264 Mi. South of Int. Route 610, Floyd County. Low bid being 10.5% over the estimate.

Motion carried.

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Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action on bids received July 12, and July 26, 1983, on the following projects and authorize execution of contracts by the Deputy Commissioner or Chief Engineer:

Project U000-116-101, C-501, B-601

From Int. Winston Churchill Drive To Int. Poythress Street, City of Hopewell. Award of contract to low bidder, E. G. Bowles Company, Richmond, Virginia.

	Construction	Right of Way
Bid	\$2,358,122.68	\$4,750.00
Engineering and contingencies	372,425.38	750.50
State Force Work	6,369.00	
Railroad	7,780.00	
Total amount chargeable to project	2,750,197.56	

Accounts Receivable - City of Hopewell - \$160,532.71. \$89,664.85 to be provided in future Urban Construction Funds.

Routes 21 and 658; Projects 0021-038-102, C-501; 0658-038-160, C-501

From 3.73 Mi. South Wythe County Line To 3.89 Mi. South Wythe County Line AND From Int. Route 21 To 0.093 Mi. West Int. Route 663, Grayson County. Award of contract to low bidder, Pendleton Construction Corporation & Sub., Wytheville, Virginia.

Bid	\$482,924.30
Engineering and contingencies	76,302.04
State Force Work	5,558.40
Total amount chargeable to project	564,784.74

\$183,901.40 to be provided in the 1984-85 Secondary Construction Funds.

Route 265, Project 6265-071-101, B-609

Route 86 over Route 265 2.0 Mi. South Int. Route 737; Bridge Only, Pittsylvania County. Award of contract to low bidder, Pendleton Construction Corporation and Sub., Wytheville, Virginia.

Bid	\$ 959,631.80
Engineering and contingencies	151,463.82
Total amount chargeable to project	1,111,095.62

\$41,095.62 to be provided in future Primary Construction Allocations.

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Route 614, Project 0614-011-158, C-501, B-639, B-640, B-641

From 0.030 Mi. North Route 618 North Int. To 0.297 Mi. North Route 618 Mid. Int., Botetourt County. Award of contract to low bidder, Robertson Construction Company, Inc., Salem, Virginia.

Bid	\$393,239.70
Engineering and contingencies	62,131.87
State Force Work	6,658.50
Total amount chargeable to project	462,030.07

Route 745, Project 0745-061-180, M-502

From 0.756 Mi. North of North Carolina-Virginia State Line To Int. Route 666, City of Suffolk. Award of contract to low bidder, T. H. Wiggins Company, Inc., Suffolk, Virginia.

Bid	\$305,713.30
Engineering and contingencies	48,302.70
State Force Work	16,338.84
Total amount chargeable to project	370,354.84

\$76,956.25 to be provided in the 1984-85 Secondary Construction Funds.

Motion carried.

Moved by Mr. Bane, seconded by Dr. Forrester, that the Commission confirm letter ballot action rejecting bids received July 26, 1983, on the following project and authorize readvertisement:

Route 522, Project 0522-034-S05, D-612

Route 522 over Babbs Run 0.20 Mi. North Route 856; Replace bridge with box culvert, Frederick County. Low Bid being 29.9% over the estimate.

Motion carried.

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Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 7, State Highway Project 0007-029-106, RW-201, the Commonwealth acquired certain lands from Charles B. O'Shaughnessy and Mary H. O'Shaughnessy by instrument dated September 20, 1973, recorded in Deed Book 3925, Page 741, case for which has been concluded; from Baileys Crossroads Volunteer Fire Department, Incorporated by instrument dated December 20, 1973, recorded in Deed Book 3977, Page 244, case for which has been concluded; and from the County School Board of Fairfax County, a body corporate, by instrument dated January 8, 1974, recorded in Deed Book 3977, Page 264, case for which has been concluded, and by deed dated September 7, 1974, recorded in Deed Book 4100, Page 221. These instruments are recorded in the Office of the Clerk of the Circuit Court of Fairfax County; and

WHEREAS, that portion acquired from the County School Board of Fairfax County by deed dated September 7, 1974, has previously been advertised for sale by sealed bids, with no successful bids received; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey the former Fairfax County School Board property plus certain contiguous parcels, so acquired, which lie in the northeastern quadrant of the intersection of Routes 7 and 244 in order to develop the entire tract; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the combined parcel of land containing 2.047 acres, more or less, lying in the northeastern quadrant of the intersection of Routes 7 and 244, extending from a point approximately 55 feet right of approximate Station 100+30 (construction centerline Route 7) to a point approximately 70 feet right of approximate Station 232+42 (survey centerline Route 244) 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.

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 State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed

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conveying same without warranty to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 258, State Highway Project 0258-046-103, C-503, the Commonwealth acquired certain lands from Wilson S. Holland and Margaret D. Holland by deed dated August 14, 1962, recorded in Deed Book 167, Page 481 in the Office of the Clerk of the Circuit Court of Isle of Wight County; and

WHEREAS, the land was acquired in connection with a proposed relocation at Walters; and

WHEREAS, the said relocation was never constructed; and

WHEREAS, the original landowner has requested that the Commonwealth reconvey this excess parcel of land at the original purchase price; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the parcel of land containing 0.68 acre, more or less, and comprising the lands acquired for the relocation at Walters, lying on both sides of and adjacent to the survey centerline of Route 258, from the southwest property line of Norfolk & Western Railroad at approximate Station 1147+98 (Route 258 centerline) to the lands of the adjacent landowner of record at approximate Station 1150+43 (Route 258 centerline) 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.

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 State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty to the original landowner for the

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original purchase price, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, the Virginia Department of Highways and Transportation has constructed or otherwise improved a part of Route 671, under State Highway Project 0671-097-T77, N-502, in Wise County; and

WHEREAS, due to the construction or improvement of said Route and Project, it was necessary to relocate a portion of the South Fork of the Pound River upon the lands of Stella Kazee; and

WHEREAS, by virtue of the rechannelization of the South Fork of the Pound River, the Virginia Department of Highways and Transportation is the apparent owner of those portions of the former riverbed; and

WHEREAS, there is no need for the Commonwealth of Virginia to retain jurisdiction over those lands situated outside the proposed right of way for the aforesaid Project; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land containing 0.15 acre, more or less, comprising those portions of the former bed of the South Fork of the Pound River situated outside the proposed right of way for said Project does not constitute a section of the public road and is deemed by him unnecessary for the uses of the secondary system of State Highways.

NOW, THEREFORE, the conveyance of the said land, so certified, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed conveying same to Stella Kazee in exchange for the lands required for the rechannelization of the South Fork of the Pound River, subject to such restrictions as may be deemed requisite.

Motion carried.

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Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with the Campbell County Correctional Unit #9 (Rustburg Correctional Center), the Commonwealth of Virginia, Department of Highways acquired certain lands from P. W. Phillips and Helen A. Phillips by deed dated June 30, 1954, recorded in Deed Book 256, Page 217 in the Office of the Clerk of the Circuit Court of Campbell County; and

WHEREAS, the Appalachian Power Company has requested a 20-foot permanent easement over a portion of the lands of the aforesaid extending in a western direction from their existing overhead power facilities to the department's western boundary for the construction and maintenance of power line facilities; and

WHEREAS, this easement is being requested in order to extend service to the adjacent landowner to the west; and

WHEREAS, the State Highway and Transportation Commissioner has certified to the Commission that he deems it expedient to convey to the Appalachian Power Company the easement for the said power line.

NOW, THEREFORE, in accordance with the provisions of Section 2.1-6 of the Code of Virginia (1950), as amended, the State Highway and Transportation Commissioner is hereby authorized to execute a deed in the name of the Commonwealth conveying such easement to the Appalachian Power Company in such form and subject to such restrictions and conditions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, Route 729, in James City County is dedicated right of way; and

WHEREAS, Route 729, also known as Albemarle Drive, ended in a cul-de-sac; and

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WHEREAS, Route 729 has now been extended in a southwesterly direction, thus eliminating the need for a portion of the cul-de-sac; and

WHEREAS, the adjacent landowner has requested that the portion of the cul-de-sac that is no longer necessary be conveyed to it so that the adjacent property may be further developed; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land comprising a portion of the cul-de-sac, which lies between the east normal right of way limits of present Route 729 and the east existing right of way line of old Route 729, containing 0.0937 acre, more or less, land, 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.

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

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson;

that

WHEREAS, in connection with Route 66, State Highway Project 0066-000-102, RW-206, the Commonwealth acquired a one-half portion of a 15-foot alley from the County of Arlington by the subsequent vacation of the said alley, recorded in Minute Book 2078, Page 717 in the Office of the Clerk of the Circuit Court of Arlington County; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey a portion of the alley, so acquired, in order to further develop the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the parcel of land containing 343 square feet, more or less, and comprising a portion

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of a vacated 15-foot alley, lying north of and adjacent to the centerline of said alley, located north of Lots 19 and 20 of the Georgetown Vista Condominiums 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.

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 State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 23, State Highway Project 0023-097-111, RW-201, the Commonwealth acquired certain lands from Laura Q. Branham, Estate, by instrument dated March 13, 1967, recorded in Deed Book 402, Page 1 in the Office of the Clerk of the Circuit Court of Wise County; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey the excess portion of the land, so acquired, which lies east of the east normal right of way limits of Route 23 in order to further develop the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the parcel of land containing 0.78 acre, more or less, and lying east of the east normal right of way limits of Route 23, from a point approximately 135 feet left of approximate Station 900+10 (office revised centerline Route 23) to a point approximately 105 feet left of approximate Station 906+22 (office revised centerline Route 23) 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.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the

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conveyance of the said land, so certified, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 24 (Jamison Avenue), State Highway Projects 0024-128-103, RW-201 and U000-128-102, RW-201, the Commonwealth acquired certain lands from Harry V. Thurman and Alma M. Thurman by deed dated May 15, 1975, recorded in Deed Book 1365, Page 112; from Sidney Hyatt by instrument dated September 9, 1976, recorded in Deed Book 1386, Page 733, case for which has been concluded; and from Betty Lou Brooks, et al, by instrument dated April 30, 1975, recorded in Deed Book 1360, Page 726, case for which has been concluded. These instruments are recorded in the Office of the Clerk of the Circuit Court of the City of Roanoke; and

WHEREAS, the Commonwealth also has an apparent interest in the southern one-half portion of 10-foot vacated alley lying adjacent to the Thurman and Hyatt parcels; and

WHEREAS, the adjacent landowners have requested that the Commonwealth convey the excess portions of the lands, so acquired, which lie north of the north normal right of way limits of Route 24 so that they may further develop the adjacent properties; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that two (2) parcels of land containing 3,970 square feet, more or less, lying north of the north normal right of way limits of Route 24, from a point approximately 110 feet left of approximate Station 61+08 (EBL centerline Route 24) to a point approximately 80 feet left of approximate Station 62+25 (EBL centerline Route 24); and from a point approximately 67 feet left of approximate Station 64+82 (EBL centerline Route 24) to a point approximately 67 feet left of

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approximate Station 65+69 (EBL centerline Route 24) do not constitute sections of the public road and are deemed by him no longer necessary for the uses of the State Highway System.

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 State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth deeds conveying same without warranty and/or quitclaim to the adjacent landowners of record for considerations satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 11, State Highway Project 1698-08, the Commonwealth acquired certain lands from J. Elmo Davis and Roberta C. Davis by deed dated September 26, 1957, recorded in Deed Book 157, Page 183 and in connection with Route 52, State Highway Project 2098-03, the Commonwealth acquired certain lands from E. G. Bowman and Elizabeth H. Bowman by deed dated August 11, 1953, recorded in Deed Book 142, Page 348; J. Elmo Davis and Roberta C. Davis by deed dated August 4, 1950, recorded in Deed Book 137, Page 21; and John R. Mabe and Maude N. Mabe by deed dated June 22, 1950, recorded in Deed Book 133, Page 60. These deeds are recorded in the Office of the Clerk of the Circuit Court of Wythe County; and

WHEREAS, under Project 0081-098-101, RW-202, Route 52 was relocated in southwestern direction serving the same citizens as before; and

WHEREAS, the old location of Route 52, for a distance of 0.07 mile, was abandoned by the State Highway and Transportation Commission on December 16, 1982; and

WHEREAS, inasmuch as the land lying between the northeast normal right of way limits of relocated Route 52 and the northeast existing right of way line of former Route 52 is suitable for independent development, it is proposed that the property be

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offered to a State agency or be advertised for the receipt of sealed bids, reserving the right to reject any and all bids; and provided the high bid received is not satisfactory to the Department, a sale will be negotiated with any person or persons willing to pay an amount that is satisfactory; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land containing 1.04 acres, more or less, and lying northeast of the northeast normal right of way limits of relocated Route 52, from a point approximately 55 feet opposite approximate Station 23+65 (NBL centerline Route 52, Project 0081-098-101, RW-202) to a point approximately 65 feet opposite approximate Station 29+35 (NBL centerline Route 52, Project 0081-098-101, RW-202) is deemed by him no longer necessary for the uses of the State Highway System.

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 State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 678, the Commonwealth acquired certain lands from James M. Lewis, et al, by deeds dated April 6, 1982, April 23, 1982 and April 30, 1982, recorded in Deed Book 553, Pages 442 and 447 and Deed Book 555, Pages 454, 458 and 482 in the Office of the Clerk of the Circuit Court of Spotsylvania County; and

WHEREAS, Route 678 has been extended through the Greenbranch Farms Subdivision, thus eliminating the need for a cul-de-sac; and

WHEREAS, in order to more fully develop the property, the owners of the adjacent lands have requested that the excess land conveyed to the Commonwealth for the cul-de-sac be conveyed to them; and

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WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the lands comprising approximately 0.12 acre, more or less, and lying north and south of the normal right of way limits of Route 678 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.

NOW, THEREFORE, the conveyance of the said parcels of land, so certified, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth deeds without warranty conveying same to the adjoining landowners of record, for considerations satisfactory to the State Right of Way Engineer and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 95, State Highway Project 0095-000-101, RW-201, the Commonwealth acquired certain lands from United States of America by deed dated January 31, 1967, recorded in Deed Book 1641, Page 366 in the Office of the Clerk of the Circuit Court of Arlington County; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey the excess portion of the land, so acquired, which lies southeast of the southeast existing right of way line of Army Navy Drive so that it may further develop the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the parcel of land containing 1,610 square feet, more or less, and lying southeast of the southeast existing right of way line of Army Navy Drive, from a point approximately 110 feet right of approximate Station 834+90 (NBL centerline Route 95) to a point approximately 100 feet right of approximate Station 835+54 (NBL centerline Route 95) 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.

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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 State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 45, State Highway Project 586-A, the Commonwealth acquired certain lands from George H. Sims and Louise D. Sims by deed dated October 7, 1933, recorded in Deed Book 70, Page 321 in the Office of the Clerk of the Circuit Court of Cumberland County; and

WHEREAS, certain segments of said road were utilized as prescriptive right of way; and

WHEREAS, under Project 0060-024-103, RW-201, a section of Route 45 was relocated in a western direction, serving the same citizens as before, which new location has been approved by the State Highway and Transportation Commissioner; and

WHEREAS, the old location of Route 45, east of the new location, from Route 60 at Station 78+50 southwesterly 0.13 mile was abandoned by the State Highway and Transportation Commission on May 19, 1983; and

WHEREAS, the adjacent landowner has requested that the Commonwealth convey to him a section of the abandoned right of way so that he may more fully enhance the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing the excess land containing approximately 0.75 acre, more or less, and comprising a portion of Route 45, lying east of the new location of Route 45, from a point on the south normal right of way limits of Route 60, approximately 40 feet left of approximate Station 78+50 (office revised centerline

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Route 60, Project 0060-024-103, RW-201) and extending southwesterly to a point approximately 230 feet left of approximate Station 83+90 (EBL centerline Route 60, Project 0060-024-103, RW-201) 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.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is hereby approved and the State Highway and Transportation Commissioner is authorized to execute in the name of the Commonwealth a quitclaim deed conveying same for a consideration acceptable to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 58 (now Route 870), State Highway Project 478-A, the Commonwealth acquired certain lands, portions of which lie outside the normal right of way from J. P. Martin by deed dated January 24, 1934, recorded in Deed Book 91, Page 165 in the Office of the Clerk of the Circuit Court of Scott County; and

WHEREAS, it has been requested by the adjacent landowner that the excess land, so acquired, lying south of and adjacent to the south normal right of way limits of Route 58 be conveyed to him; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the excess land lying south of and adjacent to the south normal right of way limits of Route 58, from a point approximately 25 feet opposite approximate Station 178+58 (centerline Route 58) to a point approximately 25 feet opposite approximate Station 179+71 (centerline Route 58) and containing 0.04 acre, more or less, 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.

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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, to the adjacent landowner of record is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty for a consideration satisfactory to the State Right of Way Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 295, State Highway Project 0295-043-103, RW-202, the Commonwealth acquired certain lands, a portion of which lies outside the normal right of way, from Stratford Village, Incorporated by deed dated November 7, 1969, recorded in Deed Book 1416, Page 87 in the Office of the Clerk of the Circuit Court of Henrico County; and

WHEREAS, it has been requested by the adjacent landowner that the excess land, so acquired, lying west of the west normal right of way limits of Hedgewood Avenue be conveyed to him; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the excess land lying west of the west normal right of way limits of Hedgewood Avenue, from a point approximately 380 feet left of approximate Station 251+10 (centerline Route I-95) to a point approximately 390 feet left of approximate Station 253+33 (centerline Route I-95), containing 0.18 acre, more or less, 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.

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 lands, so certified, to the adjacent landowner of record is approved and the State Highway and Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same without warranty for a consideration satisfactory to the State Right of Way

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Engineer, and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 24, State Highway Project 0024-009-102, RW-201, the Commonwealth acquired certain lands from Joseph W. Clark and Helen M. Clark by instrument dated April 23, 1970, case for which has been concluded, recorded in Deed Book 360, Page 568 in the Office of the Clerk of the Circuit Court of Bedford County; and

WHEREAS, the adjacent landowner has requested to purchase a portion of the excess land so acquired in order to more fully develop the adjacent property; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the excess land lying south of and adjacent to the south normal right of way limits of Route 24, from a point approximately 50 feet opposite approximate Station 260+85 (EBL centerline Route 24) to a point approximately 50 feet opposite approximate Station 262+12 (EBL centerline Route 24), and containing 2,413 square feet, more or less, 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.

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

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, the Commonwealth is the apparent owner of $\frac{1}{2}$ of

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old Route 3 beyond the normal right of way limits of existing Route 3; and

WHEREAS, under Project 0003-059-101, RW-202, Route 3 was relocated in a northern direction, and the new location serves the same citizens as the old location and has been approved by the State Highway and Transportation Commissioner; and

WHEREAS, the old location was abandoned by action of the State Highway and Transportation Commission at its meeting of December 17, 1981; and

WHEREAS, in order to more fully develop their lands, the adjoining landowner has requested that the excess land lying between the center of old Route 3 and the south normal right of way limits of Route 3 be conveyed; and

WHEREAS, the State Highway and Transportation Commissioner has certified in writing that the land containing 0.05 acre, more or less, and lying between the center of old Route 3 and the south normal right of way limits of Route 3, from a point 55 feet right of approximate Station 126+53 (Rev. "B" centerline) to a point 55 feet right of approximate Station 128+15 (Rev. "B" centerline) 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.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is hereby approved and the State Highway and Transportation Commissioner is authorized to execute in the name of the Commonwealth a quitclaim deed 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 requisite.

Motion carried.

Moved by Mr. Brydges, seconded by Mr. Davidson,

that

WHEREAS, in connection with Route 23, State Highway Project 6023-146-102, RW-201, the Commonwealth acquired certain lands and improvements from Dessa Leota Duncan by deed dated July 6,

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1977, recorded in Deed Book 505, Page 211 in the Office of the Clerk of the Circuit Court of the City of Norton; and

WHEREAS, Mrs. Duncan owned a building (D-101) which served as her home with a connected wing which served as rented apartments; and

WHEREAS, a furnace room located between the two portions of the building provided heat throughout; and

WHEREAS, based on the original survey stakes, it was thought that sufficient right of way was secured to clear the furnace room, requiring the demolition of the apartment portion of the building only; and

WHEREAS, recently, a problem was encountered by the fencing crew that indicates the right of way line actually encroaches upon the furnace room; and

WHEREAS, to eliminate this encroachment situation and to avoid further damage and relocation payments, it is recommended that a conveyance be made of sufficient right of way to clear the furnace room required for the remaining portion of the building; and

WHEREAS, District Engineers have determined that the remaining right of way is sufficient for the Department's needs; and

WHEREAS, the State Highway and Transportation Commission has certified in writing that the 0.015 acre, more or less, land lying between the north proposed right of way and limited access line and the north revised proposed right of way and limited access line from a point approximately 170 feet opposite approximate Station 564+77 (median centerline Route 23) to a point approximately 79 feet opposite approximate Station 13+96.09 (Ramp "A") 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.

NOW, THEREFORE, the conveyance of the said land, so certified, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the State Highway and Transportation Commission is hereby authorized to execute in the name of the Commonwealth a deed conveying

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same, without warranty, to the adjoining landowner or landowners of record, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Smith, seconded by Mr. Quicke, that

WHEREAS, Interstate Construction Company, Burns and Baker, Inc. and M. C. West, Inc. were debarred from the prequalified bidders' list in June 1980 due to criminal violations of the antitrust laws in Tennessee; and

WHEREAS, under the Policy and Procedures for Debarment of Contractors adopted by this Commission in 1981, the usual term for debarment is 36 months unless modified; and

WHEREAS, three years have now elapsed and these firms have not replied to the Department in response most recently to letters of August 8, 1983, sent to these firms by Commissioner King seeking to resolve their status; and

WHEREAS, the Commission Policy provides in Rule IV(E) that mere passage of time alone may not cure a contractor's lack of responsibility and an additional term of debarment for twelve months may be necessary;

NOW, THEREFORE, BE IT RESOLVED, based upon the lack of any record that would indicate that Interstate Construction Company, Burns and Baker, Inc. or M. C. West Inc. now possess the requisite standard of moral integrity, these three firms are hereby additionally debarred for a period of twelve months.

Discussion followed; and on motion of Mr. Guiffre, seconded by Mr. Brydges, the Commission acted to amend Rule IV(E) of the Policy and Procedures for Debarment of Contractors to provide that after an initial 36-month period of debarment, the Commission may continue the debarment for an indefinite period rather than for a period of twelve months and that the language of Rule IV(E) be suitably amended to conform with the intent of this action.

Therefore, the above resolution was amended, as follows:

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Moved by Mr. Smith, seconded by Mr. Quicke, that

WHEREAS, Interstate Construction Company, Burns and Baker, Inc. and M. C. West Inc. were debarred from the prequalified bidders' list in June 1980 due to criminal violations of the antitrust laws in Tennessee; and

WHEREAS, under the Policy and Procedures for Debarment of Contractors adopted by this Commission in 1981, the usual term for debarment is 36 months unless modified; and

WHEREAS, three years have now elapsed and these firms have not replied to the Department in response most recently to letters of August 8, 1983, sent to these firms by Commissioner King seeking to resolve their status; and

WHEREAS, the Commission Policy provides in Rule IV(E) that mere passage of time alone may not cure a contractor's lack of responsibility and an additional term of debarment for an indefinite period may be necessary;

NOW, THEREFORE, BE IT RESOLVED, based upon the lack of any record that would indicate that Interstate Construction Company, Burns and Baker, Inc. or M. C. West Inc. now possess the requisite standard of moral integrity, these three firms are hereby additionally debarred for an indefinite period.

. Motion carried.

The next Commission meeting will be held in Winchester, Virginia on October 20, 1983.

The meeting was adjourned at 11:28 a.m.

Approved:

Attested:

Chairman

Secretary

STATEMENT OF BASIS, PURPOSE,
IMPACT AND SUMMARY OF
RULES AND REGULATIONS OF THE
DEPARTMENT OF HIGHWAYS AND TRANSPORTATION
TO COMPLY WITH SET-OFF DEBT COLLECTION
ACT § 58-19.6 et seq.

BASIS: § 58-19.13, § 33.1-12(7) and § 9-6.14:7 et seq. of the Code as under House Bill 590, 1983 General Assembly, Acts of Assembly Chapter 258.

PURPOSE: To provide an Administrative Hearing Process to adjudicate disputes arising out of the set-off of a person's State Income Tax Refund to pay a purported claim of the Department of Highways and Transportation. This process is mandated by statute. The regulation is intended to allow anyone who has had a debt owed the Virginia Department of Highways and Transportation (Commonwealth), that is turned over to the Department of Taxation for collection, an avenue of contesting such Set-Off if he feels that the debt is not just or invalid.

IMPACT: A. Private Citizen or Business - One day for Appearance at Hearing, Attorney if debtor feels it is necessary and any related correspondence.

B. Department - Approximate annual cost to administer \$4,300.00.

C. Expect annually at least 8 contested matters to be heard, up to as many as 20 contested matters.

SUMMARY: Under the Regulation to be adopted, when notified by the Department of Taxation that a refund has been withheld, the Department of Highways and Transportation will send a notice within 10 days to the Debtor. That notice will tell the Debtor the amount of the debt, the basis of the debt, how to contest the debt, the time limit within which to contest the debt and that failure to respond will constitute a waiver of any contest. Procedures for notification of the hearing, who conducts the hearing, how the hearing is to be conducted and how the decision will be communicated to the interested parties are set out. Finally, the Regulation described that appeals to the Circuit Court can be made and how the set-off is finalized.

**COMMENT
ON PUBLIC
HEARING:**

No members of the public attended other than two representatives of the media and one person from another State Agency. During the 60 day pre-hearing period comments were received from the Secretary of Transportation and the Department of Taxation. Both comments were concerned with several typographical errors e.g. "regret" should have been "reject" in Regulation 7. Both recommended wording changes in Regulation 2(d) for clarity. Such changes were made. Both stated that the notice period of 7 days in Regulation 3 was too short. The Commission adopted 15 days. Taxation suggested two technical changes in Regulation 2(c) and 7. Both suggestions were incorporated in the final Regulations. The Hearing Officer suggested that the "District Office" be inserted as a hearing site in Regulation 5, which has been done.

RULES AND REGULATIONS OF THE
DEPARTMENT OF HIGHWAYS AND TRANSPORTATION
TO COMPLY WITH SET-OFF DEBT COLLECTION ACT § 58-19.6 et seq.

These Rules and Regulations are promulgated under the authority of § 58-19.13 and § 33.1-12(7) of the Code in accordance with the Administrative Process Act § 9:6.14:7 of the Code to comply with the Set-Off Debt Collection Act § 58-19.6 et seq. (hereinafter, the Act).

1. When the Department of Highways and Transportation (Department) is notified by the Department of Taxation (hereinafter Tax), that a debtor, identified by the Department of Taxation, is entitled to a refund and that the refund is being withheld pursuant to the operation of this Act, it shall mail a written notification to the debtor, certified mail, return receipt requested, copy to Tax, within ten (10) days of notification.

2. That notice shall inform the debtor of (a) the amount of the debt certified to Tax as due and owing, (b) the basis for the claim to all or part of the refund, (c) the intention of the Department to seek to set-off debt by credit of available refund, (d) the opportunity of the debtor to give written notice of intent to contest the validity of the claim before the Department and of the requirement that this written notice be received at the designated Office of the Department within thirty (30) days of the postmark date of the mailing of the notice by the Department, (e) the fact that failure to apply for a hearing within the thirty (30) day period will be deemed a waiver of the opportunity to contest the claim resulting in final set-off by default.

3. Notice of Hearing - The Department shall as soon as practicable after receiving notice of debtor's intention to contest a claim, set a hearing time, date and designate a hearing officer. Notice of the hearing shall be mailed to the debtor and other interested persons fifteen days before the date of such hearing. If any of the parties cannot reasonably attend the hearing at the scheduled time and place, he should so inform the hearing officer. Upon receipt of such notice, the hearing officer shall decide whether or not a

postponement will be granted. Notice of the time and place for the postponed or a continued hearing shall be mailed to all parties fifteen days before the date of such hearing.

4. Hearing Officer - The Commissioner, while reserving to himself the final determination on the validity of the debt asserted by the Department and contested by the debtor, will appoint a hearing officer. It shall be the responsibility of the hearing officer to conduct a fair and impartial hearing. No person shall serve as a hearing officer in any debtor application contesting the Department's claim who shall have been involved in the prior circumstances which have culminated in such dispute.

5. Hearing Sites - Hearing sites shall be chosen with due regard to the various geographic regions of the Commonwealth where the debtor may reside. These hearings shall be held in a district office, residency office, toll facility administration building or central office building of the Department that is in the geographic region of the debtor's residence within the Commonwealth.

6. Conduct of Hearing - Attendance at the hearing shall be limited to those persons necessary for the full disclosure of all relevant facts and circumstances. No issue may be considered at the hearing which has been previously litigated. All testimony at such hearing before the hearing officer shall be recorded by the hearing official, but no other party, and need not be transcribed unless the claim is further appealed. The hearing officer shall control the order of proof, rule upon the admission of evidence, and may examine and cross examine witnesses. The hearing officer shall have the right to require additional evidence, if he deems it necessary. The hearing officer may recess the hearing or continue it to another date for good cause shown. If neither the debtor nor his authorized representative appear at the time and place set for the hearing, without good cause, the hearing shall be considered abandoned.

Specific Conduct of Hearing -

- (a) Identify those present for the record.
- (b) Declare the purpose for the hearing, the procedure to be followed, how and by whom a decision is made and communicated to the debtor.
- (c) Declare that the technical rules of evidence do not apply at the hearing and that the hearing officer may raise such issues as may appear from the evidence presented at the hearing and require those parties to respond either at the hearing or at a subsequently agreed time.

7. Decision - The decision shall be sent to the Commissioner who may accept, in full or in part, or reject the hearing officer's decision. A copy of the Commissioner's determination and the hearing officer's decision, shall be mailed to the debtor by certified mail and to the Department's representative.

8. Appeals from Hearings - Within ten days after the receipt of the Commissioner's determination, the debtor aggrieved thereby may secure judicial review, as provided by § 58-19.14.

9. Certification of Debt; finalization of set-off - Upon final determination of the debt due and owing the Department, or upon the debtor's default for failure to comply with § 58-19.12, the Department shall within twenty days certify the debt to Tax and in default thereof, Tax shall no longer be obligated to hold the refund for set-off. Upon receipt of a certified debt from the Department, the Department of Taxation shall finalize the set-off by transferring the proceeds collected for credit or payment in accordance with the provisions of § 58-19.19 and by refunding any remaining balance to the debtor as if set-off had not occurred.