



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

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

Agenda item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

May 20, 2020

MOTION

Made By: Mr. Miller, Seconded By: Ms. DeTuncq

Action: Motion Carried, Unanimously

Title: Abandonment – Primary System of State Highways– Route F881 in Fauquier County

WHEREAS, pursuant to §33.2-902 of the *Code of Virginia*, the Commissioner of Highways was provided with a petition to abandon Route F881, a road in the Primary System of State Highways, located in Fauquier County. This matter is being considered at the request of an adjacent property owner. The road segment's total distance of 0.17 mile is

- (a) no longer necessary as a public road, and
- (b) no longer provides a public convenience that warrants maintenance at public expense;
and

WHEREAS, the Fauquier County Board of Supervisors supports the proposed action to abandon as a public road, Route F881 and has approved a resolution, attached hereto as Exhibit A, requesting the abandonment of a certain 0.17 mile segment of old Route F881, as depicted on the map attached hereto as Exhibit B; and

WHEREAS, the Virginia Department of Transportation (VDOT) posted notice, attached hereto as Exhibit C, of the intent to abandon such segment on behalf of the Commonwealth Transportation Board (Board), and such posting was done in accordance with § 33.2-902, and VDOT received no requests for public hearing on the matter; and

WHEREAS, a primary highway may be abandoned by the Board, pursuant to § 33.2-902, provided no public necessity exists for the continuance of the section of highway as a public highway.

NOW THEREFORE, BE IT RESOLVED, that the roadway segment identified below, comprising a road in the Primary System of State Highways, is hereby ordered abandoned pursuant to § 33.2-902 of the *Code of Virginia*.

Primary System of State Highways

Abandonment

Culpeper District

Fauquier County

- Route F881 – Segment A - B 0.17 Mi.

Total Mileage Abandoned from the Primary System: 0.17 Mi.

#####

CTB Decision Brief

Abandonment: Primary System of State Highways – Route F881 Located in Fauquier County

Issue: The adjacent landowner has requested the abandonment of the 0.17 mile length of Route F881, a route in the Primary System of State Highways, located in Fauquier County. The County Board of Supervisors supports the abandonment and approval by the Commonwealth Transportation Board (Board) is sought pursuant to § 33.2-902 of the *Code of Virginia*.

Facts: Route F881 in Fauquier County, a distance of 0.17 mile, is no longer necessary as a public road. This matter is being considered at the request of an adjacent property owner.

The Fauquier County Board of Supervisors approved a resolution, dated March 12, 2020 (Exhibit A, attached), indicating the Board's support of the abandonment of the 0.17 mile length of Route F881 (identified as "A – B" noted in "Red" on Exhibit B, attached).

Upon review of the area, VDOT staff determined that the 0.17 mile length of Route F881 should be abandoned as a part of the Primary System of State Highways, pursuant to § 33.2-902 of the *Code of Virginia*, since no public necessity exists for the continuance of the segment as a public road.

Pursuant to and in accordance with § 33.2-902 of the *Code of Virginia*, the Virginia Department of Transportation (VDOT) published a "Notice of Intent to Abandon" in *Fauquier Times* publication on February 5, 2020 and February 12, 2020 (Exhibit C, attached). No requests for public hearing were submitted during the requisite 30-day timeframe.

Recommendations: VDOT recommends the Commonwealth Transportation Board approve the abandonment of Route F881 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board's members to approve the proposed abandonment within four months of the end of the 30-day period after publication of the notice of intent to abandon. A resolution describing the proposed road to be abandoned is provided for the Board's consideration.

Result if Approved: If approved, the road, Route F881, will be abandoned and will no longer serve as a public road.

Options: Approve, Deny or Defer

Public Comments/Reactions: A public hearing was not requested during the requisite timeframe.

Exhibit A
Board of Supervisors' Resolution

RES-20-016

RESOLUTION

A RESOLUTION TO SUPPORT VIRGINIA DEPARTMENT OF TRANSPORTATION'S
ABANDONMENT OF A PORTION OF GALEMONT LANE (FR-881)
FROM THE PRIMARY STATE HIGHWAY SYSTEM

WHEREAS, there is a section of an old primary State highway system road, Galemont Lane (Frontage Road 881, formerly Route 55), that has been in existence since prior to the construction of Interstate 66 off existing John Marshall Highway (Route 55) in the Scott Magisterial District of Fauquier County, Virginia; and

WHEREAS, pursuant to § 33.2-902 of the *Code of Virginia*, the Commissioner of Virginia Department of Transportation (VDOT) provided Fauquier County with its notice of intent to abandon from the Primary System of State Highways Route F881, the entire length of Galemont Lane which is a total distance of approximately 0.17 miles; and, now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors on this 12th day of March 2020, That the Board agrees that no public necessity exists for the continuance of this section of highway as a public highway and the welfare of the public would be served best by abandoning this section of highway; and, be it

RESOLVED FURTHER, That the Board supports VDOT's action to abandon from the Primary System of State Highways pursuant to § 33.2-902 of the *Code of Virginia* the entire length of Galemont Lane (Route F881) in total distance of approximately 0.17 miles; and, be it

RESOLVED FURTHER, That staff is hereby directed to send an attested copy of this resolution to the Residency Engineer of the Virginia Department of Transportation Warrenton Residency.

A Copy Teste



*Paul S. McCulla, County Administrator
Clerk to the Board of Supervisors*

Exhibit B
Sketch of Proposed Road to be Abandoned



**Proposed Abandonment of
Frontage Rd. FR-881
in Fauquier County**

Exhibit C “Notice of Intent to Abandon”

Published in the *Fauquier Times*
February 5 and February 12, 2020

EARLY NOTICE OF A PROPOSED ACTIVITY WITH THE POTENTIAL TO IMPACT WETLANDS WARRENTON TRAINING CENTER, FAUQUIER COUNTY, VIRGINIA

The United States Army (Army) is preparing an Environmental Assessment (EA) to evaluate the potential environmental impacts associated with the construction and operation of the proposed DCAS1 Phase 3, a data storage and cloud computing center at the Warrenton Training Center (WTC) Station 8 in Fauquier County, Virginia. The purpose of the Proposed Action is to provide WTC Station 8 with access to high-speed computer processing and large-scale data storage capabilities through the construction and operation of a new data center. The Proposed Action is needed to 1) address a shortfall in cloud computing and data storage capacity of WTC; 2) ensure WTC provides complete and secure technological capabilities for its tenants; and 3) comply with recent U.S. Department of Defense initiatives to increase data storage and processing facilities at Army installations. Failure to implement the Proposed Action would compromise the ability of WTC to achieve its mission and maintain a suitable amount of data processing and storage capability on WTC Station 8.

The proposed DCAS1 Phase 3 project is subject to requirements and objectives of Executive Order (EO) 11980, Protection of Wetlands, as subsequent study extensions required as part of the proposed project on all areas identified wetlands. The area disturbed during construction would include approximately 0.25 acres of wetlands. These impacts would be temporary and would cease once construction is complete. The proposed action would not result in any permanent impacts to wetlands.

This notice complies with Section 2(b) of EO 11980. The Army requests advance public comment to determine if there are any public concerns regarding the project's potential impacts on wetlands. The proposed project will be analyzed in the forthcoming EA and the public will have the opportunity to comment on the EA when it is released.

The public comment period is 12 February to 27 February 2020. Please submit comments or requests for more information to: US Army Corps of Engineers (USACE) Baltimore District, 2 Haystack Plaza, Baltimore, MD 21201 - Attn: Rose Marsh, SP-03

House bill to protect student journalists advances, Senate bill tabled

Local officials concerned about how the law would apply to middle, high school journalists

By Jeffrey Knight
CAPITAL NEWS SERVICE

A bill that would grant student journalists the right to academic freedom of speech and freedom of the press has Fauquier school officials calling for the motion. The legislation would apply to school-sponsored media at public middle and high schools, as well as institutions of higher education.

House Bill 56, sponsored by former WTOP journalist Del. Chris Hurl, D-11th, of Montgomery, advanced out of subcommittee on a 5-0 vote last week. The bill also protects advisers working with the student journalists.

Hurl's bill would allow school administrators to intervene and exercise restraint only in situations of slander, libel, privacy, danger or violations of federal or state law.

Another opinion
See page 11 for an op-ed on House Bill 56, written by Rachel Singleton, editor-in-chief of Fauquier High School's student newspaper, The Falconet.

Fauquier County School Superintendent David Jack said, "I'd probably be more inclined to support it if it included a statement

like 'does not support or promote unhealthy activity or behavior.' I suppose that is covered under 'danger,' but specificity would help."

School Board member Stephanie Litter-Rober (Law District), said, "As a board member, I am concerned about the legal ramifications of such a law. One of the great things about free speech is the encouragement of discussion about controversial issues. The downside is that controversial issues typically have very polarized opinions surrounding them. In my opinion, writing about controversial issues under the tutelage of our public schools leaves the schools open to legal liability.

"In addition, there are widely varying ideas among parents about what they consider acceptable content, subject matter that they deem acceptable material for their children to be exposed to. "We saw this, case in point, during the speech at Fauquier High School on Veterans Day. The speaker presented controversial subject matter which did exactly what it was supposed to -- it encouraged students to take a position, have an opinion. The school district ended up apologizing after many parents expressed that they felt this was unacceptable content. How do you draw the line between what is acceptable content and what isn't?"

At a press conference held in Killbuck on Jan. 29, students, faculty and advocates lined up at a podium to voice support for the bill. Some students traveled from Northern Virginia and Culpeper to sing a song in the crowded House subcommittee room in support of First Amendment rights and to meet with legislators on Nation-

al Student Press Freedom Day.

Betsy Edwards, executive director of the Virginia Press Association, commended student journalists for their work. "I think student journalists play the same role that professional journalists play and that is to hold people in power accountable and to make sure that tax dollars get spent the way they should," Edwards said in a phone interview.

She added that middle and high school student journalists "are more mature than we probably give them credit for."

The maturity level of middle and high school student journalists was a major opposition point during the meeting.

Stacy Hance, chief lobbyist of the Virginia School Boards Association, voiced opposition to the bill. "I want to point out to the committee that this legislation also applies to students who are in middle school," Hance said. "I ask that you think about the maturity level and where we need to be with middle school students."

School Board member Susan Pauling weighed in, "Adolescent children believe they are ready for the authorized responsibilities, but our middle and high school students are still growing, developing and maturing. We give our adolescent complete freedom in the area of written words may be requiring a level of maturity for which they are not yet ready. Do I believe every child would be at risk of harm to their own reputation or to the reputation of others? Simply put, no. Some children will rise to the expected level of professionalism, but some will not.

"I am committed to sending our students thrive in whatever area they pursue. I know we have strong teacher support already in place and I would encourage every student to check with fellow journalists, both in our community and in our schools, to help make wise decisions on how they approach a story.

"It is important, as we move forward in education, to remember our children still need us. Although, they may think we are dated (which some of us are), their parents and teachers have life experiences that help them understand consequences of actions and the benefits of making fair and wise decisions. Our students have 18 years to grow up, to make mistakes, and to test the waters while adults at home, at school and in our community rally around them, encouraging and teaching them along the way. I don't believe we should be so quick to limit our influence or our guidance."

Litter-Rober agreed, "As a parent - I do believe that our kids know and understand more than many give them credit for - but, at the end of the day, they are still kids and they are still learning.

"While I would be more hesitant

LEGAL NOTICES



PUBLIC NOTICE

**Route 681 (Galemont Lane)
Abandonment of the roadway
from Route 88 to 0.17 mile southeast
of the Route 88 intersection
Fauquier County, Virginia**

The Virginia Department of Transportation (VDOT) hereby gives formal notice of its intent to abandon the entire length of Route 681 (Galemont Lane) in Fauquier County from its intersection with Route 88 (John Marshall Highway) to 0.17 mile south east of the intersection. The proposed abandonment of this 0.17-mile section is pursuant to the Code of Virginia, §53.2-652, at the request of the adjacent land owner for the purpose of conveying the right of way to the requestor.

VDOT shall hold a public hearing prior to considering the abandonment if any member of the public who wishes a public hearing files a petition with VDOT. Written petitions should be submitted to Mr. Joseph W. Webb, P.E., Assistant Resident Engineer for Land Use, Warrenton, Residency 457 East Shirley Avenue, Warrenton, VA 20186, on or prior to March 6, 2020.

Additional information about the proposed abandonment is available at VDOT's Warrenton Residency office, 457 East Shirley Avenue, Warrenton, VA 20186. Please call ahead at (540) 347-8441, TTY/TDD 711, to ensure the availability of appropriate personnel to assist you.

VDOT assures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact VDOT's Civil Rights Division at 800-PDS-ROAD (800-967-7623) or TTY/TDD 711.

A GOOD GAME WITHOUT MANY POINTS

Falcon girls survive Kettle Run, 28-19

By Fred Hedge
Special to the Times

Falcons were as active as their fresh in Friday's Kettle Run at Fauquier regular-season girls basketball finale.

The Cougars (left) Fouquier survived for 13 minutes, 12 seconds over parts of three quarters before falling 28-19 in the consistently low-scoring game.

"A lot of it was we just couldn't get the ball into the basket. I saw it go in a couple of times, bounce around and come back out," said Fauquier coach Brian Fiedtrel, who wondered if Fouquier was a factor with three tough games in the week.

Fouquier improved to 13-9 and advanced the No. 1 seed for the Northwestern District tournament at 9-5, Kettle Run Hill to 5-15 and 3-1, and to the No. 7 seed.

After an early six-game losing streak, Fauquier has been 10-2 in the last six weeks.

The Falcons opened 0-5 in the league and 1-4 overall, then won nine of its last 10 district contests, going 10-2 in all games.

Fauquier led 9-2 after three minutes and 31-4 after the first quarter as five players scored.

Then the Cougars moved to an earlier equalizer, winning a point for each of the last minutes in the second



Photo by Jason Utterback

To extend their excellent season, Sipe Carter and the No. 3-seeded Falcons went to host No. 6 Liberty Thursday in the Northwestern District tournament quarterfinal in Warrenton at 6 p.m.

quarter. Falcon Skyler Parr hit a pair of baskets for a 13-4 edge before a prolonged Fauquier dry spell that helped the Cougars close the gap.

Kettle Run trailed 15-9 at halftime as Madison Canterbury tracked

in a 3-pointer from the top of the key, and Macky Edwards made a steal and drove for a layup with two ticks on the clock.

Kettle Run's defense then frustrated the Fauquier attack after interception, leading the Cougars from scoreless to the early third quarter.

"I was proud of my girls for keeping their composure for a long as we did. We have developed into a strong defending team," said Kettle Run coach Ellen Allen. "That takes some work, and that's important to me."

Fiedtrel said Kettle Run's tactics worked. "That's reason we're not out to get the ball inside. That was smart," Fiedtrel said.

Send Allen: "It's all their strength. We did a combination on post defense in practice."

Fiedtrel cited multiple instances of poor shot selection and passing during the scoring finale.

"That's been a weakness for us," he began. "They will continue to be put in those situations, so they have to learn how to react to them. But I don't want to take anything away from Kettle Run and their hard work on defense," Fiedtrel emphasized.

By outscoring the Falcons 5-0 in the third, Kettle Run extended the deficit to 15-18 with one quarter to go. Those points came on baskets by Ashley Hume and Faith Schaffner and Emma Thompson's free throw.

Fauquier's lengthy drought ended when Tai Moore heaved in a long 3-pointer 23 seconds into the fourth quarter. Then adding a free throw 19 seconds later for a 18-14 lead. Hume's basket helped Kettle Run cut the mar-

Fauquier, Liberty collide in do-or-die game Thursday

By Fred Hedge
Special to the Times

Two teams on different paths meet Thursday when Liberty, the No. 4 seed, visits No. 3 Fauquier for a Northwestern District tournament girls basketball quarterfinal game.

Fauquier won both regular season games, but they were tight 29-22 in early January, then 50-40 on Jan. 31.

In the most recent game, the Falcons led by a 25-2 leadline lead before the Eagles recorded a 22-2 third-quarter run.

Liberty (4-10, 6-16) will be looking to escape the constraints of a regular-season-ending, abysmal losing streak in its appearance.

The No. 4 seed dropped seven of eight decisions down the stretch.

Kettle Run, meanwhile, will face a brutal matchup at No. 2 seed James Wood Thursday.

The semifinals are Tuesday, Feb. 18, and final Feb. 20.

DISTRICT GIRLS TOURNAMENT PAIRINGS

THURSDAY'S QUARTERFINALS

- No. 3 Liberty (2-22) at No. 1 FAUQUIER (2-1)
- No. 5 Cougars (4-20) at No. 4 SHREWSBURY (2-8)
- No. 7 KETTLE RUN (2-11) at No. 2 JAMES WOOD (13-2)
- No. 6 LIBERTY (4-10) at No. 1 KETTLE RUN (2-1)

FEB. 18 SEMIFINALS

- Winner Game 1/Game 2 at higher seed
- Winner Game 3/Game 4 at higher seed

FEB. 20 FINAL

go to 21-18 with 4:16 to play, but Kettle Run scored only one more point.

By contrast, Falcon Parr tallied two baskets, and Emma Carter sank one with less than 30 seconds to go to tie the win.

"The thing is we were able to pull a win through on an offnight. That's pretty good," Fiedtrel noted.

The 19 points were the lowest Fauquier has allowed this season, as the visitors did not score more than five in any quarter. Fauquier's 28 points is lowest output of the campaign. Kettle Run previously had

been held to 19 by James Wood, 21 by Shrewsbury and 21 by Coupsper. The Cougars' best defensive scoring night came in a win against Coupsper (25).

Parr was the game's top scorer with 13 points, with Moore adding seven. Schaffner (eight) and Hume (four) joined Kettle Run.

LEGAL NOTICES



PUBLIC NOTICE

Route 180N (Delamont Lane)

Abandonment of the roadway

From Route 66 to 0.17 mile southeast

of the Route 66 Intersection

Fauquier County, Virginia

The Virginia Department of Transportation (VDOT) hereby gives formal notice of its intent to abandon the entire length of Route 180N (Delamont Lane) in Fauquier County, from its intersection with Route 66 (John Marshall Highway) to 0.17 mile south east of the intersection. The proposed abandonment of the 0.17 mile section is pursuant to the Code of Virginia, §20-2-662, at the request of the adjacent land owner for the purpose of conveying the right of way to the requester.

VDOT shall hold a public hearing prior to considering the abandonment if any member of the public who wishes a public hearing files a petition with VDOT. Written petitions should be submitted to Mr. Joseph W. Webb, P.E., Assistant Resident Engineer for Land Use, Warrenton Resource Agency, 457 East Shiloh Avenue, Warrenton, VA 20156, on or prior to March 2, 2020.

Additional information about the proposed abandonment is available at VDOT's Warrenton Resource Agency office, 457 East Shiloh Avenue, Warrenton, VA 20156. Please call ahead at (541) 347-6441, TDD/TTY 711, to ensure the availability of appropriate personnel to assist you.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact VDOT's Civil Rights Division at 800-POW ROAD (666-3677-6623) or TDD/TTY 711.