

**MINUTES
OF
MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD**

Central Office Auditorium
1221 East Broad Street
Richmond, Virginia

January 20, 2005
9:00 a.m.

The meeting of the Commonwealth Transportation Board was held in the Central Auditorium of the Department of Transportation in Richmond, Virginia on January 20, 2005. The Chairman, Whittington W. Clement presided and called the meeting to order at 9:13 a.m.

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Present: Messrs. Bowie, Davies, Keen, Lester, Martin, McCarthy, Stone, Watson, White and Ms. Connally, and Ms. Hanley; Vice Chairman Shucet, Ms. Rae, ex officio, Director of the Department of Rail and Public Transportation.

Absent: Messrs. Bailey, Mitchell and Ms. Dragas

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Public Comment Period:

Mr. Stephen Fox, addressed the Board regarding the western I-64 corridor (near Short Pump Mall) and the current speed limit, which he feels is too fast for tractor-trailers. Mr. Fox read a letter he had written to Secretary Clement regarding this issue in which he disagreed with the speed limit currently in place at this area for safety concerns.

Commissioner Shucet recommended that Mr. Fox speak with Mr. Ray Khoury, State Traffic Engineer, who was present at the meeting, to discuss the formula's used to set traffic speeds.

Mr. Fox declined to speak with Mr. Khoury. Commissioner Shucet thanked Mr. Fox for expressing his concerns.

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Approval of Minutes of Prior Meeting:

Action on Approval of the Minutes of the Meeting of November 18, 2004. Copy of approved minutes on file with the Virginia Department of Transportation (VDOT) Commissioner's Office and posted on the VDOT Internet website: www.virginiadot.org and the Virginia Regulatory Town Hall.

Moved by Mr. Bowie, seconded by Mr. Watson.

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MOBILITY MANGEMENT DIVISON:

Agenda Item 1: Action (by single motion) on Abandonments and Discontinuances, changes in the Primary System due to Relocation and Construction, specifically (A) Old Route 215- Fauquier County - Discontinue two sections of Old Route 215 due to construction. (B) Old Route 11 in Rockingham County, Abandonment of one section due to construction, Referenced by attachment of Resolution, Decision Brief and Map.

(A-B) Moved by Dr. Stone, seconded by Mr. Davies. Motion carried, resolutions approved.

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Agenda Item 2: Action (by single motion) on Bridge Designations specifically (A) Route 29- Pittsylvania County, naming the two bridges on Route 29 (Altavista Bypass) over the Staunton River (Southbound Lane) “W. C. “Pete” Daniel Bridge” and (Northbound lane) the “Dr. James P. Kent Sr., Bridge” (B) Route 614- Green County, naming the bridge over the Lynch River the “Emily Couric Bridge”, (C) Route 19/460 and Route 61 - Tazewell County naming the bridge on U. S. Route 19/460 and Route 61 in Riverside the “George F. Barnes Bridge”, (D) Route 58 Bypass – Pittsylvania, naming the bridges over the Dan River the “ James Lester Tramel Bridges”. Referenced by attachment of Resolution, Decision Brief and Map.

(A –D) Moved by Mr. White, seconded by Mr. Davies. Motion carried, resolutions approved.

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Agenda Item 3: Action (by single motion) on Highway Designations specifically (A) Route 220 North (Hot Springs Road) – Alleghany County, naming the Route 220 North (Hot Springs Road) from the Covington City Limits to the Alleghany/Bath County Line as the “Sam Snead Memorial Highway”, (B) Route 781/783/58 – Lee County naming Route 781 from Route 783 to Route 58 in Lee County as the “The Roy Cheek Memorial Road”

(A-B) Moved by Mr. Bowie, seconded by Mr. Keen. Motion carried, resolutions approved.

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RIGHT OF WAY AND UTILITIES DIVISION:

Agenda Item 4: Action (by single motion) on Land Conveyances, specifically, (A) Route 11 - Shenandoah County, Project No.: 560-F, (B) Route 58 (Old Rt. 12) & Route 8 (Old Rt. 23) -

Patrick County, Project Nos.: 506A & 507A, (C) Route 501 (Old Route 14) - Bedford County, Project No.: 647C, (D)Route 58 - Greensville County, Project No.: 6058-040-105, RW-201, (E) Route 64 - City of Norfolk, Project No.: 0064-122-101, RW-201, (F)Route 629 - Greensville County, Project No.: 0629-040-157, M-501, (G)Route 658 (Old Route 669) - Accomack County, Project No.: 1358-J

(A –G) Moved by Mr. Bowie , seconded by Mr. Watson. Motion carried, resolutions approved.

Prior to approval Mr. Bowie asked what guidelines the Right of Way Division uses to determine the monetary value these conveyances have. Mr. Taylor responded that the value was determined through the normal appraisal procedure called *Before and After Value*. Mr. Bowie asked if this was an internal appraisal and Mr. Taylor responded yes.

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CHIEF ENGINEER’S DIRECTORATE:

Agenda Item 5. Action on Two Unsolicited Conceptual Proposals, regarding Interstate 95 in NoVA and Fredericksburg. Referenced by attachment of Resolution and Decision Brief.

Moved by Ms. Hanley , seconded by Mr. Lester . Motion carried, resolution approved.

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Agenda Item 6. Action on Limited Access Change Request, specifically Route 460 Bypass, City of Lynchburg, Project No.: 6297-015-104,RW-201. Referenced by attachment of Resolution and Decision Brief.

Moved by Mr. White, seconded by Mr. Davies. Motion carried, resolution approved.

Prior to approval Ms. Hanley asked if it would be possible to have a map for future requests of this nature to aid the Board in determining what was being changed. Mr. Waymack agreed to this request.

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION:

Agenda Item 7: Action on a Rail Industrial Access Project, specifically Caroline County, Quarles Petroleum. Referenced by attachment of Resolution, Decision Brief and Map.

Moved by Dr. Stone, seconded by Mr. White, with Mr. Davies abstaining because his law firm is presently providing assistance Quarles Petroleum. Motion carried, resolution approved.

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LOCAL ASSISTANCE DIVISION:

Agenda Item 8: Action on Revenue Sharing Re-Allocation from the County Primary and Secondary Road fund, specifically, Henry County, Fiscal Year 200-2001, Original Project No.: No Rural Additions (UPC N/A), New Project No.: 0663-044-XXX, N501 (UPC TBS)

Moved by Mr. Martin, seconded by Ms. Connally. Motion carried, resolution approved.

Prior to approval Dr. Stone asked what project was being developed and what implications it would have for employment in this area. Mr. Estes responded that the project was on Route 663 to improve sight distance at that intersection with Route 1188.

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Agenda Item 9: (A) Action on Industrial Access Projects specifically, Off U.S. Route 360 - Amelia County, The CTB approved an allocation of \$247,000 from the Industrial, Airport and Rail Access Fund at its September 16, 2004 meeting. Amelia County has advised the Department that it wishes to extend the approved access project to access additional eligible sites within the industrial park off of U. S. Highway 360. The revised plans have resulted in an increased project length. The initial phase of development, with this revision, comprises approximately 55 acres and includes 6 parcels not currently served by public access, Project No.: 0726-004-203, N501 (REVISION), Amelia Industrial Park. Referenced by attachment of Resolution, Decision Brief and Map.

Moved by Mr. McCarthy, seconded by Mr. Davies Motion carried, resolution approved.

Prior to approval Ms. Hanley asked why the new extension, which is relatively small (1/3 the size) in comparison to the area of the original map, costs almost the same as the larger original portion of the project. Mr. Estes responded that part of the comparison was an updated cost estimate as well as the additional area. Ms. Hanley then stated that the revision was not just the extension to which Mr. Estes agreed. Ms. Hanley asked what revisions had been made to the original, Mr. Estes responded that they were drainage estimates that were not on the original.

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(B) Action on Industrial Access Projects specifically, Pittsylvania County, The proposed Brosville Industrial Park is located off U. S. Highway 58, just east of the community of Brosville and west of Danville. Pittsylvania County will administer project design and construction of the proposed access road and improvements to U. S. Highway 58 including a westbound right turn lane at the proposed entrance to the industrial access road. Pittsylvania County requests Industrial Access Program funding for construction of the internal access road

only, Project No.: 1272-071-429, C50, Brosville Industrial Park. Referenced by attachment of Resolution, Decision Brief and Map.

Moved by Mr. White, seconded by Mr. McCarthy. Motion carried, resolution approved.

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Agenda Item 10: Action on Byway Designation specifically, Clarke County, Routes 638, 649, 658 and 606. Referenced by attachment of Resolution, Map and spreadsheet summary of Virginia Byways

Prior to approval Mr. Keen requested a copy of the Guidelines for Designation of Byway. Mr. Keen indicated he was unable to locate his copy of those Guidelines. He has a request for his region regarding a byway designation.. Mr. Estes indicated he would leave a copy of the guidelines with Mr. Keen. Ms. Connally asked Mr. Estes to read benefits a highway get from a by-way designation. Dr. Stone indicated that he would hope before we designate a road a by-way that it truly deserves the designation.

Moved by Dr. Stone, seconded by Mr. White. Motion carried, resolution approved.

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LOCATION AND DESIGN DIVISION:

Agenda Item 11: Action on Location Selection Approval for Capital Beltway/Route 495 in Fairfax County. Referenced by attachment of Resolution, Decision Brief and Map.

Moved by Ms. Hanley, seconded by Mr. Lester. Motion carried, resolution approved.

Prior to approval, Ms. Hanley called the Board's attention to page 404 of the Public Hearing Summary. Ms. Hanley asked for clarification regarding the local public hearings specifically that the chart did not include the hearings of the second proposal, which has the support of the public. Mr. Southard responded affirmatively but indicated that when the information was submitted to FHWA, it would include the comments from the second round of hearings. Ms. Hanley indicated that the first location was met with local opposition, VDOT listened to the local opinions, then came back with the second iteration. Ms. Hanley indicated that while the Fairfax County Board of Supervisors had not sent a recommendation, she felt that this location choice closely represents what Fairfax County would like to see.

Mr. Watson questioned how this project would be funded. Mr. Southard deferred this question to Commissioner Shucet. Commissioner Shucet responded that a PPTA proposal was being negotiated.

Ms. Hanley stated that we need to be clear, we are not choosing a PPTA, the Board is being asked to choose a location. Ms. Hanley pointed out the impact chart in the package showing why the public clearly supports the location choice before the Board today.

Ms. Connally asked to clarify that by approving this motion, the Board was not approving a particular financing plan or design alignment. Mr. Southard responded that was correct.

Mr. Martin wanted to clarify that the Board was approving a location. Ms. Hanley and Mr. Southard both explained to Mr. Martin that the location approval was necessary to complete the EIS process.

Mr. Shucet explained that in broad categories there are three key elements: location approval, design approval, and then ultimately financing for a project. The Board has approval over location and financing, but not design.

Mr. McCarthy indicated he had problems with the piecemeal process used for the decision making process regarding the start of a project. Mr. McCarthy referenced a parallel PPTA process underway right now, and if a PPTA is in a form that does not require state funds, does this Board have anything else to say about this project. Mr. Shucet responded no, not as the guidelines currently exist. Mr. Shucet did indicate that if any funds were allocated then the Board would have to vote on this project. Mr. Walton agreed with Mr. Shucet regarding the current PPTA guidelines.

Ms. Hanley asked to clarify, for the record, should this action pass, the CTB is saying to FHWA, the choice of the Board to go to design is a twelve (12) lane choice which includes a four (4) managed lane choice. In essence the Board is indicating the configuration of how we want the beltway to look and operate; how we pay for it is a future decision. Commissioner Shucet indicated Ms. Hanley was correct.

A general discussion ensued regarding the PPTA process. Mr. Bowie suggested we take action on the motion before the Board and refer these policy issues to the February 2005 Commonwealth Transportation Workshop meeting.

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SCHEDULING & CONTRACT DIVISION:

Agenda Item 12. Action (by single motion) on Bids for Interstate, Primary, Secondary, Urban and Miscellaneous Projects Received in November and December, 2004, for projects in excess of \$2 million for award and authorized execution of contracts by the Commissioner, or Chief Engineer, and for deferral, rejection, rescindment and authorized readvertisement, as indicated. Referenced by attachment of Bid Results Report.

Moved by Mr. Bowie, seconded by Ms. Connally. Motion carried with, report approved.

Mr. Keen questioned project F62; specifically why the Board was being asked to approve a project that was more than the amount allocated in the 6-year plan. Mr. Coburn indicated that was correct, the locality's have other projects they are willing to transfer money out of into this

project. Mr. Keen asked if that would be reflected in the 6-year program. Mr. Coburn indicated it would.

Ms. Connally asked to clarify a point, that whenever the Board sees a higher amount for a project than programmed. That amount is not going into a deficit, but rather funds are coming from another project. Mr. Coburn indicated that was correct, particularly in local projects.

Mr. Martin questioned what Mr. Coburn means when he says "good value". Mr. Coburn explained that the 6-year program is based on a design estimate, which is slow moving, and does not necessarily reflect the most recent trends. It represents a four-year average pricing on bids. The engineer's estimate, which by code is the comparison and must be kept confidential, takes into account recent market trends.

Ms. Hanley questioned project F71, the projects had not been identified where the additional money would come from. Mr. Coburn indicated he was working with programming to transfer other funds, but since this is a primary route not an urban area, there is more flexibility. Commissioner Shucet indicated that whatever funds were transferred would reduce the funds available to that area in the next 6 year update.

Mr. Keen asked if that money would come out of next years funding versus this years. He indicated that if we approve the project now, the money should be moved now. Secretary Clement and Commissioner Shucet indicated that adjustment did not have to be made now. It would be done at the next update.

Mr. Bowie questioned project F55, specifically what the regional signal contract involved. Mr. Coburn indicated that it was for modifications or new traffic installation. The contract is worded such that once a location is determined the contractor can respond to a request, with predetermined prices, very quickly. Mr. Bowie asked if it was strictly maintenance of existing signals. Mr. Coburn indicated is also involved upgrades.

Ms. Hanley asked if VDOT has to take a low bid, even if the contractor making the low bid has already performed unsatisfactorily on another job. Commissioner Shucet indicated that there was a process in place to remove contractors from the Bid List who did not perform satisfactorily on a job.

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NEW BUSINESS

Agenda Item 13: Action on support of the Governor's proposed Transportation Partnership Act of 2005.

Moved by Mr. Lester, seconded by Mr. Keen. Motion carried, resolution approved.

Prior to approval, Mr. Davies, Mr. McCarthy and Mr. Watson commended Mr. Keen for making this resolution. Mr. Davies indicated he felt this motion was an excellent resolution and would hope that the Board members would share it with their communities.

Mr. Keen commended Mr. Bowie for his actions in providing updates to the local community regarding funding issues. Secretary Clement asked Mr. Bowie to share his comments with the other Board members.

Secretary Clement referenced the *Draft on the 6 Year Program on the Interstate System*, which was distributed to the Board members. Secretary Clement indicated the Board had until February 1, 2005, to get back to staff with their recommendations/reactions. The next package you will receive on the 6- year program will be the updated suggestions for the Primary Road System.

Dr. Stone commended Commissioner Shucet, Barbara Reese and Secretary Clement for the work staff has done to implement the suggestions received from the Public Auditors on the financial audit issues.

Mr. Davies queried about legislation that was passed at the previous General Assembly regarding VDOT's ability to increase speed limits on bypasses. Secretary Clement indicated this legislation is not really discretionary. The statute in question does not give VDOT any flexibility if a traffic speed study shows a speed should be increased.

Mal Kerley pointed out to the Board that Engineering News Record recently recognized Commissioner Shucet in their top 25 Newsmakers of 2004.

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ADJOURNMENT

The meeting adjourned at 10:45. The next workshop and meeting will be held on Thursday, February 16, 2005, beginning at 9:00 a.m. in the VDOT Central Auditorium, 1221 East Broad Street, Richmond, VA

Approved:

Chairman

Attested:

Secretary