



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Richmond, Virginia 23219

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

April 19, 2022

MOTION

Made By: Mr. Fowlkes **Seconded By:** Mr. Williams
Action: Motion carried, unanimously

Title: Discontinuance – Secondary System of State Highways
Route 739 in Buchanan County

WHEREAS, Route 739, located in Buchanan County, measuring approximately 0.02 of a mile, is no longer necessary for the uses of the Secondary state highway system, and therefore no longer provides a public convenience that warrants maintenance at public expense, rendering it eligible for discontinuance; and

WHEREAS, the Buchanan County Board of Supervisors has approved a resolution on March 14, 2022, attached hereto as Exhibit A, supporting the discontinuance described as the 0.02 mile length of Route 739, as seen in the map attached hereto as Exhibit B; and

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

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

Secondary System of State Highways

Discontinuance

Bristol District

Buchanan County

- Route 739

0.02 Mi.

Total Mileage Discontinued from the Secondary System:

0.02 Mi.

####

CTB Decision Brief

Discontinuance - Secondary System of State Highways: Route 739 in Buchanan County

Issue: The Buchanan County Board of Supervisors has requested the discontinuance of Route 739 in Buchanan County. Pursuant to §33.2-908 of the *Code of Virginia*, said discontinuance must be approved by the Commonwealth Transportation Board (Board).

Facts: Upon review of the area, VDOT staff determined that the 0.02 mile length of Route 739 should be discontinued as a part of the Secondary System of State Highways, pursuant to § 33.2-908 of the *Code of Virginia*, as it no longer provides a public convenience that warrants maintenance at state expense.

The Buchanan County Board of Supervisors requested, by resolution on March 14, 2022 (Exhibit A, attached), the discontinuance of the 0.02 mile length of Route 739 (road noted in “Yellow” on Exhibit B, attached).

In accordance with §33.2-908, notice of the discontinuance was published in the *Virginia Mountaineer* newspaper on January 13, 2022 (Exhibit C, attached). The Buchanan County Board of Supervisors and property owners with land abutting the section of roadway considered for discontinuance received notice via certified mail.

Recommendation: VDOT recommends the Board approve the discontinuance of the 0.02 mile length of Route 739 referenced above.

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

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

Options: Approve, Deny or Defer

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

Exhibit A
Buchanan County Resolution

The Board of Supervisors of Buchanan County, in regular meeting on the 14th day of March 2022, adopted the following:

RESOLUTION OF SUPPORT FOR DISCONTINUANCE OF ROUTE 739

WHEREAS, pursuant to the request from this Board for the discontinuance of Route 739, the Virginia Department of Transportation has notified the Buchanan County Board of Supervisors of its intent to discontinue a section of Route 739 from Route 624 to 0.02 mile east of Route 624, a distance of 0.02 miles, and;

WHEREAS, the sketch, attached and incorporated herein as a part of this resolution, defines the adjustments required in the secondary system of state highways as a result of the discontinuance of Route 739, and;

NOW, THEREFORE, BE IT RESOLVED, this Board hereby concurs with and supports the Commonwealth Transportation Board's discontinuance of Route 739 from Route 624 to 0.02 mile east of Route 624 from the secondary system of state highways, as identified on the attached sketch, pursuant to §33.2-908.B of the Code of Virginia, and;

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

Moved By: Trey Adkins

Seconded By: Tim Hess

Yeas: 6

Nays: 0

A Copy Teste:

Robert C. Horn

Robert C. Horn
County Administrator

Exhibit C

Public Notice of Discontinuance
Published in the *Virginia Mountaineer* on January 13, 2022



VDOT
Virginia Department of Transportation

**NOTICE OF PROPOSED ROAD DISCONTINUANCE
ROUTE 739**

Pursuant to §33.2-908 Code of Virginia, the Virginia Department of Transportation (VDOT) will consider discontinuance of Route 739 from Route 624 to 0.02 mile east of Route 624, a distance of 0.02 mi. This matter is being considered by VDOT at the request of the Buchanan County Board of Supervisors. Discontinuance is an act of the Commonwealth Transportation Board that relieves VDOT of the maintenance and regulatory authority for a roadway due to insufficient public service. Additional materials related to the proposed discontinuance can be obtained by contacting the VDOT Lebanon Residency at:

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P.O. Box 127 (1067 Fincastle Rd)
Lebanon, VA 24266
(276) 889-7601
john.bolling@vdot.virginia.gov

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