

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

Central Office Auditorium
1221 East Broad Street
Richmond, Virginia

November 18, 2004
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 November 18, 2004. The Chairman, Whittington W. Clement presided and called the meeting to order at 9:05 a.m.

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

Absent: Vice Chairman Shucet

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Public Comment Period:

Mr. Jim Lighthizer, President of the National Civil War Preservation Trust, addressed the members on behalf of the Trust to publicly thank and commend the Board for their commitment of Transportation Enhancement Funds for the preservation of Civil War Battlefield Preservation. According to Mr. Lighthizer, under the leadership of this Board, Virginia has become a leader in Battlefield Preservation, saving over 5,000 acres in Virginia over the past five years using T-21 Enhancement Money.

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Approval of Minutes of Prior Meeting:

Action on Approval of the Minutes of the Meeting of September 16, 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 Dragas, seconded by Mr. Bowie, with Mr. Mitchel abstaining due to his absence from the September meeting. Motion carried, minutes approved.

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ADMINISTRATIVE SERVICES DIVISION:

Agenda Item 1: Action on Land Disposal-Limited Access Request, specifically, a portion of right of way fronting a 1.1 acre parcel formerly the Bartlett Area Headquarters on Route 17 in Isle of Wright County, to be “limited access”, thereby creating a landlocked parcel which can then be sold to an adjacent landowner.

Moved by Ms. Dragas, seconded by Mr. White. Motion carried, resolution approved.

Discussion ensued: Ms. Dragas asked if the Board was being asked to grant an access. Ms. Sorrell responded that VDOT was not asking for an access, that VDOT has a buyer for the property however under direction from the Attorney General’s office they were making this request to ensure this parcel was restricted with no access. Ms. Hanley asked if this request was before the Board to make it a more formal restricted access than that currently outlined in the permit. Ms. Sorrell responded in the affirmative.

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MOBILITY MANGEMENT DIVISON:

Agenda Item 2: Action (by single motion) on Abandonments and Discontinuances, changes in the Primary System due to Relocation and Construction, specifically (A) Route 321 (Monticello Avenue) - James City County, addition of 0.87 mile as an extension of Route 321 (Monticello Avenue), (B) Old Route 58-Greenville County, abandonment of 0.41 mile of old Route 58, designated as Sections 1, 2, and 3 on the plat dated September 25, 1987, (C) Old Route 58 - Lee County, abandonment of 2.52 miles of old Route 58, designated as Sections 4 and 15 on the plat dated August 12, 2004 and transference from the Primary System to the Secondary System and renumbered as Route 943 and (D) Old Route 58 Alternate - Lee County, abandonment of 4.12 miles of old Route 58 Alternate, designated as Sections 1 thru 11 on plat dated August 3, 2004. Referenced by attachment of Resolution, Decision Brief and Map.

(A-D) Moved by Mr. Bowie, seconded by Mr. White. Motion carried, resolutions approved.

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Agenda Item 3: Action (by single motion) on Bridge Designations specifically (A) Route 122 - Bedford County, naming the bridge crossing the railroad tracks on Route 122 at the Moneta Bypass - "Samuel L. Rucker Memorial Bridge", (B) Scott County, naming the bridge across Copper Creek in the Manville Community - "Robert J. Jennings Memorial Bridge", (C) Route 650 over Route 288 - Goochland County naming the bridge on Route 650 over Route 288 - "Ellisville Bridge". Referenced by attachment of Resolution, Decision Brief and Map.

Moved by Mr. McCarthy, seconded by Mr. Keen. Motion carried. Resolutions approved.

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SECRETARY OF TRANSPORTATION - INTERMODAL OFFICE:

Agenda Item 4: Action on Phase 3 and Final Report to the General Assembly: VTrans 2025 - Virginia's Statewide Multimodal Long-Range Transportation Plan.

Prior to the approval of the motion a discussion ensued. Mr. Davies inquired as to how the report would be tracked if it the Board gave its approval for presentation to the General Assembly. Secretary Clement responded that he was hopeful the Governor would establish a Commission to review the report for implementation of the recommendations. Secretary Clement stated that the Governor had been briefed and was impressed with the report. Ms. Conally stated that there were certain institutional changes that could be made without legislative action. She indicated that other cooperative types of actions could be used to facilitate implementation of the recommendations. Mr. Davis indicated an action plan developed by VDOT to help facilitate the recommendations of the report. Mr. Mitchell commentated that he felt the committee had done a wonderful job on the report. Mr. Mitchell indicated that he felt the report had clearly shown him a couple of things. The first is that VDOT is running out of money. The second item was the relationship between VDOT's statewide operations and decisions made by local jurisdictions. . Mr. Mitchell feels it is very important to keep tabs on this report to advocate some of the recommendation, particularly funding issues. Mr. Bowie indicated he felt it was an excellent report, but noted that he was concerned about the transfer of secondary roads to local government. Mr. Bowie indicated that some local governments could handle the transfer while other cannot. Mr. Bowie hoped that if this was considered it would be done on a case-by-case basis, taking into consideration the available resources of the local governments. Ms. Hanley concurred with Mr. Bowie, and indicated the language was not direct regarding secondary roads. Mr. Davis stated that in the report, there was an ending sentence in the recommendations that we have to consider the administrative burdens. Ms. Hanley indicated it did not say secondary roads, which was especially important because some jurisdictions had many miles of secondary roads when compared to others. Ms. Hanley felt that VDOT has to look at the entire secondary system and not off load our secondary roads and that of she thought that was what the report was

recommending she would vote against it. Mr. Keen indicated he also shared Mr. Bowie's concern. Mr. Mitchell noted there were concerns noted throughout the report, but for him the first task was to secure funding. Secretary Clement stated the value of the report felt it does highlight the issues. Mr. Keen, felt that as a Board, at a grass roots and local level, it should take it upon ourselves at our appearances to make present this report.

Moved by Mr. Watson, seconded by Mr. Keen. Motion carried, report approved.

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RIGHT OF WAY AND UTILITIES DIVISION:

Agenda Item 5: Action (by single motion) on Land Conveyances, specifically, (A)Route 19 - Russell County, (B) Route 33 (Old Route 17) - Greene County, (C) Route 58 - Washington County, (D) Route 460 (Old Route 11) - Buchanan County, (E) Route 58 - Lee County, (F) Routes 629, Route 460 (Old Route 52) - Prince George County, (G) Route 7 (Old Route 37) - Frederick County, (H) Routes 95 and 639 - Prince William County, (I) Route 211 - Shenandoah County, (J) Route 616 at Route 620 - Spotsylvania County, (K) Route 642 - Augusta County, (L) Route 682 - Loudoun County, (M) Route 684 (Peery Road) - Town of Farmville. Referenced by attachment of Resolutions and Decision Briefs

(A –M) Moved by Mr. Bowie, seconded by Mr. Keen. Motion carried, resolutions approved.

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CHIEF ENGINEER'S DIRECTORATE:

Agenda Item 6: Action on Limited Access Change Request specifically Part of Route 220 - (Wonju Street) - City of Roanoke. Referenced by attachment of Resolution and Decision Brief.

Prior to approval of the motion, Mr. Mitchell asked if the individual seeking the change was paying VDOT for it. Mr. McCarthy indicated that he had that same question. Mr. Stuart Waymack, of VDOT's Right of Way section, indicated that VDOT was being compensated for the land.

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

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DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION:

Agenda Item 7: Action on a Rail Industrial Access Project, specifically, Rockingham County - Coors Brewing Company, and Pittsylvania County – MeadWestvaco. Referenced by attachment of Resolution, Decision Brief and Map.

Prior to approval of the motion Mr. McCarthy asked what point system scale was used in the recommendation of the projects. Mr. Kevin Page, of the Department of Rail and Public transportation, indicated it was on a scale of a 100 with 50 plus points being the criteria for recommendation to the Board. Mr. McCarthy asked if the Board ever received an 80 or higher recommendation. Mr. Page indicated that a score of 60 plus is considered a very good project. Ms. Rae asked Mr. Page to share the criteria that Endorsed by locality, annual car loads, percent of investment as banked against total investment, number of jobs created, endorsed by Virginia Economic Partnership, the Rail Program, the states participation in the program. Mr. McCarthy asked if we were then using objective criteria. Mr. Page indicated yes, one of the most important criteria is the employment rate in the locality.

Moved by Dr. Stone, seconded by Mr. Keen. 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, Prince William County, Reallocation of funds from Fiscal Year 2004-2005. Referenced by attachment of Decision Brief.

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

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Agenda Item 9: Action (by separate motions) on Industrial Access Projects specifically, (A) Off U.S. Highway 221 - City of Lynchburg, Construction of 30 foot wide asphalt roadway, extending northwest for a distance of 0.25 mile from Jefferson Ridge Parkway, to provide access to four eligible parcels of about 46 acres in an industrial park and (B) Off U.S. Highway 15, north of I-64 -Louisa County, Rescindment of CTB Action of June 20, 2002, allocating funds for project, which has been cancelled by the County. Referenced by attachment of Resolution, Decision Brief, and a Map.

(A) Moved by Mr. White, seconded by Mr. Bailey. Motion carried, resolution approved.

(B) Moved by Mr. Davies, seconded by Mr. Mitchell. Motion carried, resolution approved.

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Agenda Item 10: Action on Recreational Access Project specifically, off U.S. Route 340 (South Third Street) - Town of Shenandoah. Referenced by attachment of Resolution, Decision Brief and Map.

Prior to approval of the motion Ms. Hanley asked if VDOT had a rating system similar to that used for rail recommendations. Mr. Estes indicated VDOT did not, but that VDOT does work in conjunction with the Department of Conservation and Recreation in deciding if a project will be funded. Ms. Hanley asked if competition for this sort of funding was as fierce as that for Rail. Mr. Estes indicated no.

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

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Agenda Item 11: Action on Byway Designation specifically, Brunswick County, Route 46 (Christanna Highway). Referenced by attachment of Resolution, Map and spreadsheet summary of Virginia Byways.

Prior to approval of the motion Dr. Stone asked what qualifies a highway as a byway. Mr. Estes read the criteria. Secretary Clement asked if the designation has implications for billboard placements. Secretary Clement stated he personally would like VDOT to take a more proactive role for roads that qualify for byways. Ms. Hanley stated that some jurisdictions take this initiative for a number of reasons up to and including the belief by some that once a road is a Byway it will never be a four-lane highway. Ms. Conally stated that a byway designation does not guarantee in perpetuity the length or width of the road. Mr. Estes concurred with Ms. Conally.

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

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SCHEDULING & CONTRACT DIVISION:

Agenda Item 12. Action [by separate motions] on Bids for Interstate, Primary, Secondary, Urban and Miscellaneous Projects Received November 4, 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.

Prior to approval of the report a discussion arose when Mr. McCarthy pointed out that the projects as listed in the CTB book were out of order. Mr. Coburn identified which project he was talking about and directed the Board to the correct page. Mr. Mitchell asked if the bid for Wellington Road was rejected again. Mr. Coburn indicated that no, VDOT was recommending acceptance of that bid. Mr. McCarthy questioned the identifying marks on the material provided. Mr. Bowie asked why the Board was asked to vote on these items, when the paperwork said

project awarded. Mr. Coburn indicated that the projects had not been awarded, that VDOT was recommending them to the Board for award. Mr. Coburn indicated he would correct this language in the future. Mr. Mitchell asked why if the Prince Williams project was so significant, VDOT only received one bid. Mr. Coburn responded that there were many factors, which his division would analyze before placing out for re-advertisement. Ms. Hanley asked if VDOT is receiving a lower number, higher number or an equal amount of bidders as in the past or if it varies. Mr. Coburn indicated it varied around the state. Ms. Hanley indicated that if she were a contractor she would not be willing to make an investment in a construction project based on the lack of available funding. Mr. Mitchell indicated we should get the Prince William Project out to bid again as soon as possible if the Board rejects it. Secretary Clement asked how many bids will be necessary to complete the West Point Bridge or how many phases would be needed. Mr. Coburn did not know the answer. Mr. Mitchell asked about a 2% over run on the West Point project. Ms. Reese indicated that part of the over run would be reimbursed by FHWA. Mr. Mitchell asked if any other projects were coming up that were over their estimates, as it would effect other projects. Mr. Mitchell stated that Lindenhall is a secondary road, if the locality is willing to move money around to start construction, can the locality do so. Ms. Hanley, bud June 30, while back still hold,

(Pages 1, 2, 3 - Interstate and Secondary Construction Projects - Rockbridge, Prince William, Dinwiddie, and Henrico Counties) Moved by Mr. White, seconded by Ms. Hanley. Motion carried with, report approved.

(Page 4 - Enhancement Grant Construction Project - York County) Moved by Mr. White, seconded by Mr. Mitchell. Motion carried, report approved.

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NEW BUSINESS

Action on Industrial Access Project specifically, Albemarle County, Project 1571-002-281,M501, North Fork Business Center. Referenced by attachment of Resolution, Decision Brief, and a Map.

Prior to approval of the motion, Mr. this have any implication to the Route 29 corridor down the road. Ms. Dragas asked if the figure included more than the road, as it seemed quite high. Mike responded that the project involved a lot of different terrain, which could account for the cost. Ms. Dragas asked if VDOT reviewed the cost. Mike answered in the affirmative, that the residency reviewed the cost.

Moved by Mr. Davis, seconded by Mr. Mitchell. Motion carried, resolution approved.

Action on Dulles Greenway Refinancing, specifically a letter to Wachovia Bank, Toll Road Investors and Bear, Stearns and Co., requesting Secretary Clement's signature on the letter.

Prior to approval of the letter Ms. Hanley asked if the dedicated ramp to Dulles would get in the way of rail extension. Ms. Reese indicated no, that Dulles was ensuring the median was kept free. Ms. Hanley indicated she was not talking about the ramp, but specifically the ramp project itself. Ms. Rae and Ms. Reese discussed whether the contents of the letter would prohibit additional funding of rail projects in NoVA. Ms. Reese indicated the letter would not. Ms. Reese indicated that Dulles Greenways had cooperated extensively with VDOT. Ms. Rae commented that VDOT might want to recognize Dulles Greenway's cooperation in the letter. Ms. Reese indicated that this letter was a legal document, and that if recognition of Dulles Greenway was desired the Board should draft a separate letter.

Moved by Mr. Bowie, seconded by Mr. White, motion carried, letter approved with one abstain (Mr. Mitchell due to a partner who has property involved in the project.)

Secretary Clement recognized Carol Mathis for stepping in and taking over the Commonwealth Transportation Board duties after the departure of Katherine Tracy.

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ADJOURNMENT

The meeting adjourned at 10:33. The next workshop and meeting will be held on Thursday, January 19 2004, beginning at 9:00 a.m. in the VDOT Central Auditorium, 1221 East Broad Street, Richmond, VA

Approved:

Chairman

Attested:

Secretary