COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Pierce R. Homer
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Agenda item #3-B

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

January 16, 2008

MOTION

Made By: Mr. Martin Seconded By: Mr. Bowie
Action: Motion Carried, Unanimously

Title: Recreational Access –Henry County, Project 0765-044-843, N501
Smith River Sports Complex

WHEREAS, Section 33.1-223 of the *Code of Virginia* sets forth that the General Assembly of Virginia has found and declared that it is "...in the public interest that access roads and bikeways for public recreational areas and historical sites be provided..." and sets aside highway funds for such purpose, and further provides that "The Commonwealth Transportation Board, with the concurrence of the Director of the Department of Conservation and Recreation, is hereby authorized to make regulations to carry out the provisions of this section."; and

WHEREAS, the Director of the Department of Conservation and Recreation (DCR) and the Commonwealth Transportation Board (CTB) have adopted a joint policy to govern the use of the Recreational Access Fund pursuant to Section 33.1-223 of the *Code of Virginia*; and

WHEREAS, the Henry County Board of Supervisors has, by appropriate resolution, requested Recreational Access funds to construct an access road and bikeway to serve Smith River Sports Complex, located southeast of Martinsville off Route 650 (Irisburg Road), and said access road is estimated to cost $455,000 and said bikeway is estimated to cost $90,000; and

WHEREAS, this request is under consideration by the Director of DCR for full compliance with the provisions of Section 33.1-223 of the *Code of Virginia*; and

WHEREAS, it is anticipated that the Director of DCR will recommend the construction of the aforementioned access road and bikeway; and

NOW, **THEREFORE**, **BE IT RESOLVED,** that from the 2007-2008 Fiscal Year Recreational Access Fund, $350,000 ($250,000 unmatched, $100,000 matched) be allocated to construct the access road and $75,000 ($60,000 unmatched, $15,000 matched) be allocated to construct the bikeway to Smith River Sports Complex, Project 0765-063-843, N501, contingent upon:

1. The Director of DCR designating Smith River Sports Complex as a public recreational area and recommending the use of the Recreational Access Fund for the construction of the access road and bikeway;

2. All right of way, environmental assessments and remediation, and utility adjustments being provided at no cost to the Commonwealth; and

3. Execution of an appropriate contractual agreement between the County of Henry (LOCALITY) and VDOT to provide for the:

    a. design, administration, construction and maintenance of this project; and

    b. provision of the required $100,000 matching funds from the general fund of the LOCALITY for construction of the access road; and

    c. provision of the required $15,000 matching funds from the general fund of the LOCALITY for construction of the bikeway; and

    d. payment of all ineligible project costs, and of any eligible project costs in excess of the $350,000 allocation for the construction of the access road from sources other than those administered by VDOT; and

    e. payment of all ineligible project costs, and of any eligible project costs in excess of the $75,000 allocation for the construction of the bikeway from sources other than those administered by VDOT.

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