



# 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 #9*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**June 17, 2020**

#### **MOTION**

**Made By: Mr. Whitworth, Seconded By: Dr. Smoot**  
**Action: Motion Carried, Unanimously**

**Title: SMART SCALE Project Cancellation**  
**Route 460 Corridor Improvements UPC 115734**

**WHEREAS**, the Commonwealth Transportation Board's (Board) Six-Year Improvement Program Development Policy adopted December 7, 2016 states that a project that has been selected for funding through either the High Priority Projects Program or Highway Construction District Grant Program may be cancelled only by action of the Board. In the event that a project is not advanced to the next phase of construction when requested by the Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Virginia Department of Transportation (VDOT) for all state and federal funds expended on the project; and

**WHEREAS**, Item 13 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 states that a project that has been selected for funding must be initiated and at least a portion of the programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the Commonwealth Transportation Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse VDOT for all state and federal funds expended on the project; and

**WHEREAS**, Item 22 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 states that surplus Construction District Grant Funds no longer needed for the delivery of a project will remain in the applicable Construction District Grant Program and may not be used in other districts, and further, provides that such surplus funds may either be reserved

not be used in other districts, and further, provides that such surplus funds may either be reserved to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE; and

**WHEREAS**, the Route 460 Corridor Improvements UPC 115734 project (Project) was submitted for consideration and selected for \$3,597,000 in funding through the Construction District Grant Program in the third round of the prioritization process pursuant to section 33.2-214.1; and

**WHEREAS**, on March, 3 2020, the Tazewell County Board of Supervisors voted unanimously to withdraw their application for the SMART SCALE project; and

**WHEREAS**, the Project was scheduled to begin preliminary engineering in June 2020, and has not yet started; and

**WHEREAS**, VDOT recommends Board action to cancel the Project and transfer all Construction District Grant funds to the Bristol District Construction District Grant balance entry (UPC -21760) for allocation to projects selected in Round 4 of SMART SCALE.

**NOW THEREFORE BE IT RESOLVED**, by the Commonwealth Transportation Board, that the Project, Route 460 Corridor Improvements UPC 115734, is hereby cancelled.

**BE IT FURTHER RESOLVED**, by the Commonwealth Transportation Board that all Construction District Grant funds allocated to the Project be transferred to the Bristol District Construction District Grant balance entry (UPC -21760) for allocation to projects selected in Round 4 of SMART SCALE.

###

**CTB Decision Brief**  
**SMART SCALE Project Cancellation**  
**Route 460 Corridor Improvements UPC 115734**

**Issue:** The Route 460 Corridor Improvements UPC 115734 project (Project) was selected for funding in the third round of the Commonwealth Transportation Board's (Board) SMART SCALE Prioritization Policy/Process. The Project was submitted by Tazewell County and screened in for meeting a VTrans need. It was selected for funding and received \$3,597,000 in Construction District Grant funds to support a total project cost of \$3,597,000. On March 3, 2020 the Tazewell County Board of Supervisors voted to withdraw their application for SMART SCALE, due to public concerns related to safety and adverse impacts on local businesses. Prior to cancellation VDOT Bristol District worked with the locality to identify potential scope refinements and alternatives. Ultimately no alternatives were supported by the County. CTB approval is needed for cancellation of this Project pursuant to the Six-Year Improvement Program Development Policy adopted by the Board on December 7, 2016.

**Facts:** The Project is VDOT administered and was scheduled to begin preliminary engineering in June 2020.

The Board's Six-Year Improvement Program Development Policy adopted December 7, 2016 states that a project that has been selected for funding through either the High Priority Projects Program or Highway Construction District Grant Program may be cancelled only by action of the Board. In the event that a project is not advanced to the next phase of construction when requested by the Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the project.

Item 13 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 states that a project that has been selected for funding must be initiated and at least a portion of the programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the Commonwealth Transportation Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the project.

Item 22 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 states that Surplus Construction District Grant Funds no longer needed for delivery of a project will remain in the applicable Construction District Grant Program and may not be used in other districts. In addition, this item provides that such surplus funds may either be reserved to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE.

**Recommendation:** VDOT recommends that the Board cancel the Route 460 Corridor Improvements UPC 115734 project and transfer all Construction District Grant funds to the Bristol

District Construction District Grant balance entry (UPC -21760) for allocation to projects selected in Round 4 of SMART SCALE.

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to cancel the Route 460 Corridor Improvements UPC 115734 project and transfer all Construction District Grant funds to the Bristol District Construction District Grant balance entry (UPC - 21760) for allocation to projects selected in Round 4 of SMART SCALE.

**Result, if Approved:** If approved, the project will be removed from the Six-Year Improvement Program and all Construction District Grant funds will be transferred to the Bristol District Construction District Grant balance entry (UPC -21760).

**Options:** Approve, Deny, or Defer.

**Public Comments/Reactions:** None

# TAZEWELL COUNTY VIRGINIA

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Tom A. Lester, Jr., Vice-Chair  
Western District



Charles A. Stacy, Chair  
Eastern District

Margaret A. "Maggie" Asbury  
Northern District

D. Michael Hymes  
Southern District

Travis Hackworth  
Northwestern District

C. Eric Young  
County Administrator

March 10, 2020

Virginia Department of Transportation  
c/o: Blake Ailor  
870 Bonham Road  
Bristol, VA 24201

## **RE: Withdrawal of Smart Scale project 4760**

Mr. Ailor:

Please be advised, after further review of the currently funded Smart Scale project, the Tazewell County Board of Supervisors hereby requests, by a vote of 5-0, to have the project withdrawn. The Board held a public hearing at their regularly scheduled meeting on March 3, 2020. During this meeting, several residents and business owners spoke against the proposed closure of Fill Street and the proposed closures of entrances along US 460 in Claypool Hill. Previously, two Board members toured the area in question and examined the maps. They also reviewed the STARS study and accident data. With respect to the entrance closures, after listening to the residents, reviewing the sites, and examining the studies, the Board feels the safety benefits of the proposed project will not outweigh the economic damage done to local businesses that rely on the entrances.

Regarding Fill Street, some Board members feel that the plan to close Fill Street simply moves the problem closer to the 19/460 intersection by routing all of the traffic to "Thru" street. Further, while it may make the Mall Road intersection more safe, it has the potential to make the 19/460 intersection less safe. Furthermore, the Board of Supervisors feels that the closure of the entrances along US 460 will harm business by restricting

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Eastern District

C. Eric Young  
County Administrator

## **PUBLIC HEARING – CONSIDERATION OF THE CLOSURE OF A PORTION OF FILL STREET BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

7:07 P.M. The Chairman called to order a public hearing that was duly advertised according to law regarding the CONSIDERATION OF CLOSURE OF A PORTION OF FILL STREET BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION.

The County Administrator explained that the proposed closure of a portion of Fill Street was a recommendation from the Star Study done circa 2016. The study discovered that the area from Fashion Road on Rt. 19/460 and down 460 to the Claypool Hill Mall intersection is one of the highest accident rated intersections in the State second to Bristol, Exit 7. The County submitted the recommendation from the Star Study in a grant application and submitted it to VDOT. Mr. Young clarified that the recommendation came from a firm hired by the County and that the recommendation did not come from a County or VDOT engineer.

Mr. Dunford displayed a map of Fill Street and surrounding areas. He explained in great detail VDOT’s proposal to close a portion of Fill Street. Mr. Dunford explained that traffic on Fill Street would be rerouted along Link Street to its intersection with Thru Street and then along Thru Street to its intersection with U.S. Route 460. The proposal included the removal of one of the red lights to keep traffic in the far right lane continuously moving at all times. The proposal also included the additions of deceleration and acceleration lanes hoping this would fix safety concerns. The County Administrator commented that the County would be responsible for paving the section of Link Street and the rest of it would be State funding.

Supervisor Hackworth questioned if there would be right of way issues on Link Street due to the narrowness of the road. Mr. Dunford responded that it would be widened as much as possible to avoid right-of-way concerns but that they wouldn’t be able to widen the whole road because some of the homes were built in the right-of-way. The County Administrator remarked that there were no intentions of making anyone move any structures.

Supervisor Lester was concerned that not having a red light to slow traffic down would cause even more safety risks.

Supervisor Hackworth asked if the entrances were included. Mr. Dunford clarified that the public hearing was regarding Fill Street but that the grant does cover the public entrances. He displayed pictures showing the public entrances near: PM Quick Mart, Exxon station, Bandy Auto, Wash World, and Pizza Plus. The County Administrator commented that the study found a

lot of the accidents were a result of having so many entrances and exits from U.S. 460 in such a short distance with people stopping, going, and pulling out in front of others.

Supervisor Hackworth asked Mr. Dunford if he had discussed the proposal with the businesses it would affect. Mr. Dunford responded that he had and some of the businesses were still opposed to the proposal and that others were okay with it. The County Administrator suggested looking into if there were any entrances that people were willing to give up or reconfigure if the Board decided to withdraw the consideration of the proposal.

Now, the Chairman called for public comments from the floor with regard to the public hearing. The following people spoke against the proposed closure of a portion of Fill Street:

NAME	ADDRESS	COMMENTS
<b>1. Owen Taylor</b>	Wash World, Inc. 154 Fill Street Pounding Mill, VA	As owner of Wash World, Inc. he was concerned that the proposal would negatively impact his business. He suggested a plan to monitor and slow down traffic.
<b>2. Roger Webb</b>	485 Fill Street Pounding Mill, VA	Mr. Webb, a Fill Street resident of 42 years was opposed to the proposal. He was concerned for the disabled and retired people in the neighborhood and the danger the change would put them in. He suggested finding a way to slow traffic down.
<b>3. John Thompson</b>	First Sentinel Bank 12678 Gov G C Peery Hwy Pounding Mill, VA	The President/CEO of First Sentinel Bank was concerned that VDOT's proposed closures would make it more difficult for customers to access their branch and cause their business to suffer.
<b>4. Jennifer Beavers</b>	512 Fill Street Pounding Mill, VA	Fill Street resident, Mrs. Beavers was opposed to the proposal believing it would cause even more safety issues than what there already is.
<b>5. Dahmon Ball</b>	628 Fill Street Pounding Mill, VA	Mr. Ball, a resident of Fill Street, was opposed to the proposal. He discussed additional safety issues the changes would create. Mr. Ball also pointed out that there would be no snow removal on Fill Street because it is not a State maintained road.
<b>6. Richard Smith</b>	207 Terry Drive Richlands, VA	New Peoples Bank employee, Mr. Smith, was concerned about the devastating blow the proposal would have on the bank and its customers. As a suggestion he mentioned that the bank has a couple of grassy areas around their parking lot and that they would be agreeable to putting in a turn lane. Mr.

		Smith also pastors at the Cedar Bluff Community Church and is concerned about how it would impact local congregations and cause more safety concerns when leaving services.
7. <b>Darrell Addison</b>	502 Lake Park Drive Richlands, VA	Mr. Addison was in attendance representing Clinch Valley Bank who did not agree with the proposal. Mr. Addison discussed safety concerns for employees along this area leaving work. He was also concerned that the closures would affect Claypool Hill Mall, which has already suffered business losses. Mr. Addison mentioned that Freedom Ford was also in disagreement of the proposal.
8. <b>Jonathan Roberts</b>	608 Country Farms Road Cedar Bluff, VA	Mr. Roberts, a member of the Tazewell County Road Committee, discussed a comment he received from a Western District citizen stating that Thru Street is not State maintained road.

7:41 P.M. Now, the Chairman called for additional comments from the floor three times and there being none, he declared the meeting closed.

Upon motion of Supervisor Hackworth, seconded by Supervisor Lester and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby do not accept the consideration of closing a portion of Fill Street by the Virginia Department of Transportation as proposed and withdraw their application for the Smart Scale project which closes Fill Street in the manner currently proposed.

#### CERTIFICATION OF MINUTES

I Whitney Parsons Whitney Parsons, Executive Assistant, Tazewell County Board of Supervisors, Tazewell, Virginia hereby certifies that the aforementioned is an excerpt of the March 3, 2020 meeting minutes of the Tazewell County Board of Supervisors, 197 Main Street, Tazewell, Virginia 24651.

This the 16<sup>th</sup> day of March 2020.



access to their property. There are gas stations and banks that have configured their internal traffic flow in reliance upon these entrances, without which their internal traffic patterns would become cumbersome and awkward. Creating an inconvenience for their customers will add pressure to businesses already struggling in our region.

The Board of Supervisors notes that the accelerated construction time frame of the project made it very difficult to move forward with the project. The Board did not have adequate time to meet with property owners and allay their fears or propose alterations which may have made the project more palatable to businesses and residents alike.

Nevertheless, the Tazewell County Board of Supervisors would like to thank you for the opportunity to apply for this funding and look forward to working with you on other projects. We appreciate the time and efforts of your staff in seeking out options to make this work. However, given the time frame, we simply were unable to do so. We continue to seek solutions for the safety issues in the Claypool Hill area and plan to apply for funding help once those are identified.

In the meantime, I attach a copy of the minutes from the Board meeting on March 3, 2020. If you have any further questions please feel free to contact me at [eyoung@tazewellcounty.org](mailto:eyoung@tazewellcounty.org) or you may contact the Director of Engineering Kenneth Dunford at [kdunford@tazewellcounty.org](mailto:kdunford@tazewellcounty.org).

Sincerely,



C. Eric Young  
County Administrator