

**POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION**

RESOLUTION

MOTION: _____

RESOLUTION NO. 10-06-____
OFFICIAL COMMISSION MEETING
JUNE 3, 2010

SECOND: _____

**RE: AUTHORIZATION TO RATIFY A STORM WATER MANAGEMENT AND
ACCESS EASEMENT**

WHEREAS, on December 19, 2008, the VRE Operations Board authorized the VRE Chief Executive Office to grant a water line easement to Spotsylvania County within the VRE Crossroads Maintenance Yard; and

WHEREAS, it has since been determined that an additional storm water management and access easement is required in conjunction with the previously approved water line easement; and

WHEREAS, the easement only provides Spotsylvania County access to perform maintenance on the existing storm water management pond if VRE fails to perform the maintenance required by the previously executed water line easement; and

WHEREAS, the VRE Operations Board authorized the VRE Chief Executive Officer to execute a permanent storm water management and access easement with Spotsylvania County and to execute all documents related to the Spotsylvania County water line and storm water management and access easements at the Crossroads Yard.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission hereby ratifies the VRE Operations Board's approval of the aforesaid easements and the authorization for the VRE Chief Executive Officer to execute the easements on behalf of the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission as consistent with the VRE Delegation of Authority Plan previously approved by the Commissions.



Virginia Railway Express Operations Board

1500 King Street • Suite 202 • Alexandria, Virginia 22314-2730 • (703) 684-1001 • FAX (703) 684-1313
Web Site: <http://www.vre.org> • E-Mail: gotrains@vre.org

RE: AUTHORIZATION TO RATIFY A STORM WATER MANAGEMENT AND ACCESS EASEMENT

RECOMMENDATION:

The Commissions area being asked to ratify the VRE Operations Board action authorizing the Chief Executive Officer to execute a permanent storm water management and access easement for a storm water detention facility at the Crossroads storage facility in Spotsylvania County.

BACKGROUND:

On December 19, 2008, the VRE Operations Board authorized the Chief Executive Officer to execute a water line easement for the benefit of Spotsylvania County within the VRE Crossroads Maintenance Yard. In working with Spotsylvania County to finalize this easement, it has been determined that an additional storm water management and access easement is required in conjunction with the previously approved water line easement.

The storm water management and access easement is comprised of two parts: (1) a 10 foot wide access easement extending from the beginning of the yard access road to the existing storm water management pond; and (2) a 0.155 acre parcel inclusive of the existing storm water management pond. This storm water management and access easement will only provide Spotsylvania County access to perform maintenance on the existing storm water management pond if VRE fails to perform the maintenance required by the previously executed easement.

Following Commission authorization and approval of the easement plat and deed of dedication, the easement plat will be recorded with Spotsylvania County. Under the VRE's Delegation of Authority Plan, the Commissions gave the Operations Board authority over most matters. One power retained by the Commissions is the authority to purchase real property in the name of the Commissions or to sell Commission owned

property. Since the easement is not a sale of property, the Operations Board is considered to have authority to approve easements. Nonetheless, Spotsylvania County has requested Commission ratification of the Operations Board approval of this item since the Delegation of Authority Plan does not specifically list easements as a delegated authority.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

JOINT AGENDA ITEM #2-C

**POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION**

RESOLUTION

MOTION: _____

**RESOLUTION NO. 10-06-____
OFFICIAL COMMISSION MEETING
JUNE 3, 2010**

SECOND: _____

**RE: AUTHORIZATION OF CLOSED MEETING FOR THE POTOMAC AND
RAPPAHANNOCK TRANSPORTATION COMMISSION**

WHEREAS, the Potomac and Rappahannock Transportation Commission (PRTC) desires to convene into Closed Meeting for consultation with legal counsel concerning provisions of the contract with Keolis Rail Services and the current access agreement with Amtrak.

WHEREAS, pursuant to Section 2.2-3711-A.7 VA Code Ann. – Legal, such discussions may occur in Closed Meeting.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby authorize discussion of the aforesated matters in Closed Meeting.

Adjourned into Closed Meeting at _____ p.m.

POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION

RESOLUTION

MOTION: _____

RESOLUTION NO. 10-06-____
OFFICIAL COMMISSION MEETING
JUNE 3, 2010

SECOND: _____

RE: **CERTIFICATION OF CLOSED MEETING FOR THE POTOMAC AND
RAPPAHANNOCK TRANSPORTATION COMMISSION**

WHEREAS, the Potomac and Rappahannock Transportation Commission has this day adjourned into Closed Meeting in accordance with a formal vote of the Commission, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was concluded in conformity with the law.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby certify that to the best of each members' knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applies, and (ii) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed or considered by the Commission. No member dissents from the aforesaid certification.

Concluded Closed Meeting at _____ p.m.

ACTION ITEMS REPORTED OUT OF CLOSED MEETING