



MONTGOMERY COUNTY SUPERVISORS TO CHALLENGE PUBLIC FUNDING OF INTERMODAL RAIL FACILITY

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Montgomery County, Virginia – Montgomery County’s Board of Supervisors has instructed staff to proceed with a legal challenge over taxpayer funding for the Roanoke Region Intermodal Facility in Elliston.

The state action taken August 19 authorizing Norfolk Southern to proceed with the construction of a private intermodal facility using taxpayer dollars in Elliston forced the Board decision to pursue legal action.

“The state’s decision left us with no alternative but to challenge their action,” said Board of Supervisors Chairman Annette Perkins. “We are extremely disappointed that the state has chosen to move ahead with the Ellison site despite the County’s strong opposition. The state has ignored our concerns about the harm to our quality of life and environment, increased traffic and other negative impacts such a facility would have on the rural character of the village of Elliston. We believe the state should respect local land use autonomy, the community’s Comprehensive Plan, which is mandated by the state, and the rights of local governments to determine what is in the best interests of their citizens and community.”

The lawsuit will challenge the constitutionality and validity of using taxpayer dollars to build a private intermodal rail facility in Montgomery County. Through the Rail Enhancement Fund, the Commonwealth is expected to spend tens of millions to assist Norfolk Southern with developing an intermodal facility that will be owned and operated by Norfolk Southern.

“We have serious questions about the purported economic and employment benefits to this region touted by the state, and particularly Montgomery County.” Perkins added. “We would, however, support the facility’s location in a place where it would be welcome and consistent with the locality’s local land use and economic development plans.”

The County advised state officials of its specific concerns about the constitutionality of the proposed public spending for privately owned railroad facilities. The state has not addressed those concerns in any constructive or substantive way.

The lawsuit is in the process of being drafted; details will be released once finalized. The lawsuit is expected to be filed within the next two weeks.

The Board of Supervisors has passed three resolutions since 2006 opposing the Elliston site. In April, Chairman Perkins told state officials at a meeting in Salem that the “economic spin-off from the trucking facility, such as warehouses, truck stops and other similar activities, is not what the County has envisioned, sought and targeted.”

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