



**Board of Supervisors
County of Louisa
Monday, February 6, 2023
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the February 6, 2023, regular meeting of the Louisa County Board of Supervisors to order at 5:00 p.m.

ADMINISTRATIVE ITEMS - 6:00 P.M.

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	5:00 PM
Fitzgerald A. Barnes	Patrick Henry District Supervisor	Present	5:00 PM
Willie L. Gentry Jr.	Cuckoo District Supervisor	Present	5:00 PM
Eric F. Purcell	Louisa County Supervisor	Present	5:00 PM
R. T. Williams	Jackson District Supervisor	Present	5:00 PM
Duane A. Adams	Mineral District Supervisor	Present	5:00 PM
Rachel G. Jones	Green Springs District Supervisor	Present	5:00 PM

Others Present: Christian Goodwin, County Administrator; Helen Phillips, County Attorney; Chris Coon, Assistant County Administrator; Wanda Colvin, Deputy County Administrator/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; Andy Wade, Director of Economic Development; Josh Gillespie, Director of Community Development; and Scott Raettig, Manager of Information Technology.

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to enter Closed Session at 5:00 p.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711 (A) (5) VA Code Ann., to discuss a prospective business in the Cuckoo District and the Mineral District where no previous announcement has been made of the business's interest in locating in the County; and
2. In accordance with §2.2-3711 (A) (7) and (8) VA Code Ann., to consult with legal counsel and staff about potential litigation regarding property in the Patrick Henry District; and
3. In accordance with §2.2-3711 (A) (29) VA Code Ann., for discussion of a public contract involving property in the Mineral District, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the County.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to return to Regular Session at 6:00 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

Voter	Role	Vote
Tommy J. Barlow	Voter	Yes/Aye
Fitzgerald A. Barnes	Voter	Yes/Aye
R.T. Williams, Jr.	Mover	Yes/Aye
Willie L. Gentry Jr.	Voter	Yes/Aye
Duane A. Adams	Voter	Yes/Aye
Rachel G. Jones	Voter	Yes/Aye
Eric F. Purcell	Seconder	Yes/Aye

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Board of Supervisors has convened a Closed Meeting this 6th day of February 2023, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Louisa County Board of Supervisors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED on this 6th day of February 2023, that the Louisa County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Board of Supervisors.

INVOCATION

Mr. Purcell led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the February 6, 2023, agenda, as amended, with the following changes:

- Removed a Resolution to Approve/Deny the Request for an Amendment to PUD Rezoning REZ2022-04 Zion Town Center LLC from Public Hearings

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting - Jan 17, 2023, 5:00 PM

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the minutes of the January 17, 2023, meeting.

BILLS APPROVAL

Resolution – To Approve the Bills for the Second Half of January 2023

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board adopted a resolution approving the bills for the second half of January 2023.

CONSENT AGENDA ITEMS

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the Consent Agenda items for February 6, 2023, as follows:

- Resolution – Authorizing a Pass through Appropriation for the Violence Against Women (V-Stop) Grant to the Commonwealth Attorney's Office
- Resolution – Authorizing a Pass through Appropriation for K-9 and Project Lifesaver Donations
- Resolution – Appointing Ms. Ti-Lea Austin to the Louisa County Board of Equalization
- Resolution – Authorizing the Louisa County Sheriff's Office and the Louisa County Public Schools to Proceed with the LCSO Vehicle Replacement Capital Project and the LCPS Bus Replacement Capital Project for Fiscal Year 2024
- Resolution – Proclaiming February 18-25, 2023, as National FFA Week
- Resolution – Authorizing a Budget Supplement for the Forest Sustainability Grant
- Resolution – Congratulating Bella Bresciano-Reese for Winning the 2023 Louisa County Spelling Bee Contest
- Resolution – To Accept the Deallocation of Recreational Access Funding for Loudin Lane
- Resolution – Supporting HB1400/Item 485 #1H (Sickles) and SB800/Item 485 #1S (Deeds) for Reimbursements to Localities for 2024 Presidential Primary Expenditures

RECOGNITIONS

Presentation – Recognizing Louisa County Resource Council 30 Year Anniversary

Mr. Goodwin read the resolution and Mr. Gentry presented a framed copy to Lloyd Runnett and members on the Resource Council Board recognizing the Louisa County Resource Council for 30 Years of Service.

Presentation – Recognizing Annette Hayes for Her Service and Contributions to Louisa County

Mr. Goodwin read the resolution and Ms. Jones presented a framed copy to Ms. Hayes recognizing her for her service and contributions to Louisa County.

Presentation – Recognizing National FFA Week

Mr. Goodwin read the resolution and Mr. Adams presented a framed copy to Local FFA Chapter members of Louisa County proclaiming February 18-25, 2023, as National FFA Week

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Kathy Hile, Jackson District, expressed her concerns with the lack of homeless shelters and mental health facilities in the County.

Mr. William Shaw, Green Springs District, expressed his concerns with the proposed PUD expansion - Zion Town Center.

Ms. Sue Frankelstreight, Patrick Henry District, expressed her concerns with the lack of homeless/emergency shelters and emergency housing in the County.

Mr. Don Whitaker, Green Springs District, expressed his concerns with the proposed PUD expansion - Zion Town Center.

Ms. Erica Williams-Rodriquez, Patrick Henry District, expressed her concerns with the lack of homeless/emergency shelters and emergency housing in the County.

Ms. Amanda Welch, Patrick Henry District, expressed her concerns with the proposed PUD expansion - Zion Town Center.

Ms. Beth Crogan, Green Springs District, expressed her concerns with the lack of affordable housing in the County.

With no one else wishing to speak, Chairman Adams closed the public comment period.

INFORMATION/DISCUSSION ITEMS

Discussion – Fiscal Year 2024 Operational & Maintenance and Capital Improvement Plan Budget

Ms. Colvin provided a brief update on the FY24 budget to the Board, which included preliminary revenue and expenditure highlights along with the timeline for approval.

She highlighted the following for FY24 expenditure requests:

- Operational expense requests increased 10.6% (\$14.4M)
- \$38.6M increase in CIP from FY23 to FY24
- 13.5% increase in health insurance
- 5% salary increase included as a placeholder
- Request for additional positions - total impact \$1,056, 150 (includes benefits)
 - 3 positions - Sheriff's Office
 - 8 positions - Fire & EMS
 - 2 positions - General Services (Animal Control Attendants)
- Bringing all employees to \$15 an hour
- \$285K increase in CSA/DHS services costs (State revenues to offset part)
- \$884K increase in outside agency requests (includes \$162K for Dept. of Health, CVRJ & RJC)
- \$7.5M increase for LCPS (net increase less additional revenues = \$3.4M)

Ms. Colvin noted as the County growth continues, so does costs associated with providing additional services and resources, as well as increased costs associated with Medicaid expansion, CSA services, mental health care and incarceration.

The Board asked questions regarding staffing increases and increased interest rates and how that

impacts budget expenditures, which were answered by Ms. Colvin.

Discussion – Update on Commercial Entrances for Family Subdivisions

It was requested that staff get more information regarding VDOT requirements on Private Commercial Entrances for family subdivision where a private road serves more than three (3) or five (5) individual properties and is privately owned and maintained. Mr. Coon put together a memo that served as a summary of what was discussed with VDOT, and information obtained by staff and was presented to the Board.

VDOT's Road Design Manual has been adopted as part of the Virginia Administrative Code, making it State Law. The Road Design Manual has three important definitions regarding this discussion; see below.

Private Entrance: An entrance that serves up to two private residences and is used for the exclusive benefit of the occupants or an entrance that allows agricultural operations to obtain access to fields or an entrance to civil and communication infrastructure facilities that generate 10 or fewer trips per day such as cell towers, pump stations, and stormwater management basins.

Low Volume Commercial Entrance: Any access point, other than a private entrance, serving five or fewer individual residences or lots for individual residences on a privately owned and maintained road or land uses that generate 50 or fewer vehicular trips per day using the methodology in the Institute of Transportation Engineers Trip Generation.

Private Subdivision Road or Street Entrance: A commercial entrance for a road or street that serves more than five individual properties and is privately owned and maintained.

If the entrance is a Private Entrance, as defined above, VDOT must approve the entrance regardless of stopping sight distances because property owners have a "right to reasonable access to the general system of streets and highways." While Low Volume Commercial Entrances require adequate stopping sight distance as specified in Appendix A1 Geometric Design Standards. There is a change when additional properties are going to utilize the same entrance when the threshold for private subdivision road or street entrance is met, a commercial entrance is required.

Back and forth discussion ensued regarding the requirements on Private Commercial Entrances and State statute on family subdivision requirements.

Mr. Purcell and Mr. Barlow were appointed to a working committee to work with staff and report back at the March 6th Board meeting.

Discussion – Louisa County Code Chapter 14 - Animals Off Owner's Premises

Ms. Phillips appeared before the Board to talk about the proposed regulation on livestock running at large.

Recently, citizens have had concerns about livestock from neighboring property trespassing and destroying their property. This memo evaluates what two nearby counties have implemented to address the livestock issue. The Code of Virginia declares it "unlawful for the owner or manager of any domesticated livestock to permit any such animal, as to which the boundaries of lots or

tracts of land have been or may be constituted a lawful fence, to run at large beyond the limits of his own lands within the county.” Va. Code § 55.1-2820. This section does not provide any penalties or punishments. Louisa County has declared “the boundary line of each lot and tract of land in the county to be a lawful fence.” Louisa County Code § 14-3. Similarly, the Louisa County Code does not establish any penalties for livestock trespass within the lawful fence.

Currently, the only legal recourse a Louisa citizen harmed by trespassing livestock can take is to sue the owner or manager of the livestock for trespass, but the damages are limited to \$20 for a first offense, and double damages for every subsequent offense. Va. Code §55.1-2810.

Goochland and Spotsylvania have trespassing livestock ordinances. Goochland County’s ordinance states that three violations within a six-month period shall constitute a Class 4 misdemeanor. Goochland County Code § 3-1271 Spotsylvania’s ordinance makes the trespassing of livestock unlawful but provides no penalties. Spotsylvania County Code § 4-6.2 The authority for Spotsylvania’s ordinance is Virginia Code § 55.1-2820.

Questions and concerns were addressed by the Board regarding the proposal and how they do not want the regulation to have a negative impact on farmers in the County.

Mr. Williams recommended that this item be referred to the Ag/Forestral and Rural Preservation Committee. The Board agreed to have this proposal reviewed by the Ag/Forestral and Rural Preservation Committee for consideration.

Discussion – Zoning Ordinance Amendment - Effective Date

On the motion of Mr. Purcell, seconded by Ms. Jones, which carried by a vote of 7-0, the Board voted to refer amendments to Chapter 86-196; minimum lot size requirements within the Agricultural (A-2) zoning district, to the Planning Commission for recommendation.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Authorizing a Budget Appropriation for the Virginia Business Ready Sites Program (VBRSP) Development Grant for the Shannon Hill Business Park

Louisa County was awarded \$11,590,000 from the Virginia Business Ready Sites Grant Program to support the development efforts at the Shannon Hill Regional Business Park. The grant requires is a 50/50 match. The grant funds will be for wet utility expansion of the project. These funds were not included in the FY 2023 budget process and need to be appropriated at this time.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to authorize a budget supplement to Regional Business Park Site Development (GL# 30382000-431460-CRBP8) in the amount of \$11,590,000. The source of funding is Virginia Ready Sites Grant Program (GL#0303R24-324000-CRBP8).

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Mr. Gentry reported on the VA250 Commission. He informed the Board that he has created a committee and provided them with a roster for reference. He requested the Board appropriate funds to the committee so they can apply for grant funding.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to appropriate funds not to exceed \$20,000 for match grants and other associated expenses.

Mr. Gentry addressed the concerns regarding the lack of affordable housing and emergency shelters in the County. He briefly updated the Board on the status of the proposed workforce/affordable housing project.

Mr. Adams and Ms. Jones provided an update on the Firefly fiber project that continues to be installed throughout the County.

The Board directed staff to work with Mr. Williams in evaluating opportunities to strengthen the County's competitive position with regard to this type of economic growth, and to advertise any necessary public consideration.

Board Appointments

(None)

County Administrator's Report

Mr. Goodwin reported that there were several monthly reports and items of correspondence in the Board packet and reminded the Board of several upcoming events.

PUBLIC HEARINGS**Resolution – To Approve/Deny the Request for an Amendment to PUD Rezoning REZ2022-04 Zion Town Center LLC**

This item has been deferred to the March 6th Board meeting.

ADJOURNMENT

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to adjourn the February 6, 2023, regular meeting at 7:25 p.m.

BY ORDER OF:
DUANE A. ADAMS, CHAIRMAN
BOARD OF SUPERVISORS
LOUISA COUNTY, VIRGINIA