



**Board of Supervisors
County of Louisa
Monday, October 3, 2022
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the October 3, 2022 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 AM
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 (Via Zoom); Chris Coon, Deputy County Administrator; Kyle Eldridge, Assistant County Attorney; Alexandra Stanley, Executive Assistant/Deputy Clerk; Wanda Colvin, Director of Finance; Griff Carmichael, Director of Human Resources; Scott Raettig, Manager of Information Technology; Andy Wade, Director of Economic Development; and Josh Gillespie, Director of Community Development

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Williams, 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) (1) VA Code Ann., for discussion of the assignment of staff in Community Development and the Parks and Recreation Department; and
2. In accordance with §2.2-3711 (A) (3) VA Code Ann., to discuss the disposition of real property in the Louisa District where discussion in an open meeting would adversely affect the bargaining position of the County; and
3. In accordance with §2.2-3711 (A) (5) VA Code Ann., to discuss prospective business in the Mineral District where no previous announcement has been made of the businesses' interests in locating in the County; and
4. In accordance with §2.2-3711 (A) (7) VA Code Ann., for consultation with legal counsel about Walton Lumber Company, and others verses Louisa County.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Barnes, 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	Barnes	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	Voter	Yes/Aye

On the motion of Mr. Williams, seconded by Mr. Barnes, 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 3rd day of October 2022, 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 3rd day of October 2022, 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. Williams, seconded by Ms. Jones, which carried by a vote of 7-0, the Board voted to adopt the October 3, 2022, agenda, as amended, with the following changes:

- Added a Resolution to Approve the Fiscal Year 2024 Budget Calendar to Consent Agenda
- Added a Resolution to Convert Six Part-Time Position into Three Full Time Positions within the Department of Parks, Recreation, & Tourism to Consent Agenda
- Added a Resolution to Convert a Contracted Position into a Position within the Department of Community Development to Consent Agenda

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting - Sep 19, 2022 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 September 19, 2022, meeting.

BILLS APPROVAL

Resolution – To Approve the Bills for the Second Half of September 2022

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board approved the bills for the second half of September 2022.

CONSENT AGENDA ITEMS

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to adopt the Consent Agenda items for October 3, 2022,, as follows:

- Resolution – Proclaiming November as National Epilepsy Awareness Month
- Resolution – Recognizing Wallace West and His Service and Contributions to His Country and Local Community
- Resolution – To Approve and Award a Contract for Tree Services
- Resolution – Authorizing a Pass through Appropriation for the Sheriff's Office for DMV Select Enforcement Grant
- Resolution – Authorizing a Pass-Through Appropriation for FY 2023 State Fire Programs Funding
- Resolution – Authorizing a Pass through Appropriation for Sheriff's Office for Bulletproof Vest Program
- Resolution – Authorizing a Budget Supplement for COVID-19 ARPA SLFRF Municipal Utility Relief Program Funds
- Resolution – To Approve the 2023 Holiday Schedule
- Resolution – Recognizing the Contributions of the Louisa County Chamber of Commerce
- Resolution – To Approve the Fiscal Year 2024 Budget Calendar
- Resolution – To Convert a Contracted Position into a Position Within the Department of Community Development
- Resolution – To Convert Six Part-Time Positions into Three Full Time Positions Within the Department of Parks, Recreation and Tourism

RECOGNITIONS

Presentation – Recognition - National 4-H Week

Mr. Goodwin read the resolution proclaiming October 2-8, 2022 as National 4-H Week in Louisa County and Mr. Barnes presented the framed copy to Ms. Thompson and Ms. Groome, local 4-H/Extension agents.

PUBLIC COMMENT PERIOD

Mr. Adams opened the Public Comment Period.

Ms. Vicky Hart, Louisa District, appeared before the Board to discuss FEMA's National Flood Insurance Program and cell phone coverage in the County.

Mr. Shane Horn, Cuckoo District, sated the Board turned down the proposed sports complex, but

noted funding for the project was included in the FY23 Capital Improvement Projects list. He asked the Board what they plan to do with the funding they had earmarked for the project.

Mr. Tom Gilbert, Green Springs District, appeared before the Board to talk about the proposed solar development off Klockner Road in Louisa County.

Mr. Curt Heidel, Blue Ridge Shores Property Owner's Association, addressed the proposed Memorandum of Understanding between Blue Ridge Shores Property Owner's Association and the County and expressed his support of the agreement.

With no one else wishing to speak, Mr. Adams closed the Public Comment Period.

INFORMATION/DISCUSSION ITEMS

Presentation – J. Sargeant Reynolds Community College President's Message

Dr. Paula Pando, President of J. Sargeant Reynolds Community College, appeared before the Board to provide an update regarding activities at the College and information regarding Louisa County.

Presentation – Louisa 4-H

Ms. Jenny Thompson and Ms. Bridgette Groome, Louisa County Extension Office, appeared before the Board to provide an update on activities, programs, and camps the local Extension Office offers.

Presentation – Update - Louisa Arts Center

Ms. Karen Welch, Executive Director, Louisa Arts Center, appeared before the Board to provide a brief overview of their annual report, and updated them on activities, events, and programs set up by the center.

Presentation – BrightSuite

Ms. Sarah Marshall, State and Local Affairs Representative, Dominion Energy, made a few opening remarks before turning the presentation over to Mr. Tom Brookspilling, to talk about BrightSuite, a wholly-owned subsidiary of Dominion Energy that delivers sustainable energy solutions - large and small-scale solar solutions - for homes and businesses.

The Board asked questions regarding: available solutions to homeowners and businesses that are not Dominion customers; the process and how it works to install sustainable energy solutions to your home, including homes that may not have the structural integrity to withstand solar panels; the cost of the solutions; the lifespan of solar panels; net metering; and the storage of excess energy, which were answered by Mr. Brookspilling and his team.

Mr. Brookspilling stated the solutions are not limited to Dominion customers and its available with \$0 money down and low monthly costs. He said members meet with the potential consumer to discuss the solution that is best for the home. He explained BrightSuite analyzes the home's solar potential and makes a recommendation, if any are needed prior to installation.

Discussion – Hamilton Road Bridge

Mr. Goodwin referred to the supporting documentation and pictures included in the packet regarding the current condition of Hamilton Bridge located in the Green Springs District, VDOT's vision for the future of the bridge, and some maintenance options for consideration.

Ms. Jones stated that she has had several residents in the Green Springs District express their concerns regarding safety and the overall condition of the bridge. She noted majority of the residents who live on Hamilton Road are elderly and certain fire & EMS apparatus are unable to access the bridge. She further noted the bridge is a historic and notable bridge (built in 1929), therefore, preserving the historic character of the bridge also plays a component as repairs are being considered. She said she would like for VDOT, the County, and all stakeholders, to come to a resolution on the future of the bridge.

Mr. Adams made note of Mr. Thornton's reply that was included in the packet, regarding VDOT's stance to walk away from the process due to several factors, and asked Mr. Thornton to provide clarification on those factors.

Mr. Alan Thornton, Louisa Resident Administrator, stated the consulting parties were not able to agree on a solution, which was the main factor to note.

Mr. Adams asked who holds ownership of the bridge. Mr. Thornton replied VDOT.

Mr. Adams asked why VDOT does not move forward with a solution since they hold ownership of the bridge.

Mr. Thornton explained because the bridge is designated as a historic landmark, it falls under the National Park Service (NPS), which invokes a section 106 process for repairs, maintenance, and reconstruction. He said all consulting parties - VDOT, Louisa County, NPS, and other stakeholders in the area - must agree on a solution.

Mr. Adams asked who the other stakeholders in the area are. Mr. Thornton replied the residents.

Mr. Williams asked what would happen if VDOT chose to avert the 106 process and start making repairs to the bridge.

Mr. Thornton said that would jeopardize potential federal funding.

Mr. Williams motioned to move forward with the 106 process. Mr. Purcell seconded.

Mr. Thornton said in response to the motion, a public hearing is required to start the 106 process.

Mr. Williams said he wishes to keep his motion as stated.

Ms. Jones said that all stakeholders need to agree on a solution before they move forward with the 106 process.

Mr. Thornton said his recommendation would be to convene a stakeholders group to obtain input and move the process forward. He noted at a certain point, maintenance needs are going to outpace maintenance funding and once it gets to that point, the access will get dropped and the bridge will be shut down for safety reasons.

Ms. Jones said she would like a different outcome from 8-years ago when all parties ceased, and the bridge remained in its condition.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to convene a stakeholders group to obtain input and move forward with the 106 process.

Discussion – Buoy Application Fee

Mr. Goodwin provided a brief overview on the current process for buoy applications in Louisa and Spotsylvania County and requested the Board's consideration to amend Louisa County Code Section 82-28, to allow an extension on review time from 30 to 90 days. Mr. Goodwin said the increase in review time will allow the Lake Anna Advisory Committee the opportunity to consider each request before staff is to make a recommendation to the Department of Wildlife Resources.

Back and forth discussion ensued.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to direct staff to advertise a public hearing on amendments to Louisa County Code Article II. - Boat and Water Safety; Section 82-28. - Same - Application for Installation.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Approving the County's 2023 Legislative Platform

The County adopts a legislative platform on an annual basis in an effort to inform and advocate on behalf of the citizens of Louisa in the Virginia General Assembly. Working in conjunction with the Virginia Association of Counties, the Thomas Jefferson Planning District and similar entities, the platform below has been developed for the 2023 session of the General Assembly.

Discussion ensued between the Board and staff regarding the priorities as presented.

Undergrounding

The reliability of our power grid is mission critical for residents, businesses, and emergency responders. On January 3, 2022, Louisa County was impacted by a violent winter storm which delivered up to 15" of snow and severe winds. The County sustained significant damage and 98% of residents lost power (include towns, gas stations and grocery stores). Restoration efforts took nine days, during which neighbors were unable to help those around them in many situations due to roads closed by downed power lines. Without power in rural communities, citizens lose the ability to get water, heat homes and maintain adequate food supplies.

Undergrounding represents the transition of aerial lines to underground placement. The State Corporation Commission has taken a past negative stance on full undergrounding

due to the overall cost to ratepayers. Louisa County supports the fair treatment of ratepayers, but even partial undergrounding represents a critical reduction in power restoration timelines. Dominion Energy, one of three utilities providing electricity in the County, estimates that undergrounding just 20% of lines would increase restoration speeds by 50%, at 2-3% of the cost of full undergrounding. Louisa County supports undergrounding efforts in the County and the Commonwealth.

Broadband

Internet has become a necessity, yet citizens in many localities have insufficient connectivity. Louisa was the first locality in the region to partner with multiple utility providers to provide end-user fiber on a County-wide basis, and the County supported the effort with a commitment of up to \$15 million in local dollars.

The County supports state (and federal) efforts to offset further funding requirements and to bolster cooperative efforts (among utility providers and other entities) and concerns such as easement usage associated with deployment.

Compensation Board / Related State Funding Flexibility

The Commonwealth has funding responsibilities for several local services such as law enforcement (through the State Compensation Board) and education (through the Standards of Quality). In many cases, localities supplement this funding, and in some cases that supplement is significant. In Louisa, the state funds only 26 of the 55 full time and 16 part time deputy positions in the Sheriff's Office. When the state provides salary increase funding, it calculates the state funding amount on that number of positions, but sometimes compels the same increases for non-state funded positions. This is an unfunded mandate. As an example, the state's recent bonus (\$3,000 per position) would cost the County over \$200,000 for all staff, while the state portion is \$78,000.

It is requested that the state allow flexibility in the application of state revenues (Compensation Board and otherwise) for compensation increases across all positions. Local governing bodies would have the choice (and therefore bear the responsibility for their decision) to either match the state amount for all positions or to spread state funding across all positions.

Freshwater Harmful Algae Blooms

The County is home to Lake Anna, the third largest freshwater lake in Virginia. The lake has experienced Harmful Algae Blooms (HAB) over the past several years. HAB's are also materially impacting other bodies of water in the Commonwealth, including Lake Gaston and the James River. HAB alerts have a material impact on public usage of our natural assets and this in turn impacts economic assets which rely thereon. These impacts include tourism-based operations such as vacation rentals, restaurants, marinas, and many related offerings. The County is grateful for the funding approved by the 2022 General Assembly, and requests ongoing support in future years to combat this issue.

Equal Revenue Authority

The County of Louisa gratefully acknowledges prior efforts by the General Assembly to address revenue generation inequalities, and fully supports further county rights to raise the same revenues as cities.

Jail Costs

Louisa County is a member jurisdiction of the Central Virginia Regional Jail (CVRJ), and is grateful for the increase in jail per diem rates approved by the General Assembly in the 2022 session. As of the most recent Jail Cost Report prepared by the Commonwealth, CVRJ's actual daily cost is \$99.69. CVRJ member localities pay 55.5% of this amount, and the state funds 34.58%. Similar percentages apply to other jails on a statewide basis.

In an effort to offset future surprises and to fairly share future cost increases, the County supports indexing per diem costs as a fixed percentage of the actual statewide daily expense average (\$100.32) as set forth by the state in the annual Jail Cost Report.

Small Modular Reactors

Virginia is a leader in clean energy production with over 30% of the state's power based on zero emission nuclear generation. Nuclear power provides reliable, competitively priced electricity to consumers in the Commonwealth, and low energy costs play a critical role in maintaining Virginia's stature as an attractive location for business. The Commonwealth is also home to numerous facilities and operations in the nuclear energy sector including BWX Technologies (engineering), Framatome (industrial computing and regulatory compliance), Newport News Shipbuilding and many others. These entities sustain thousands of jobs throughout the Commonwealth which support Virginia families, generate substantial tax dollars, and trigger beneficial relationships with higher education in the state to train the future nuclear workforce.

Dominion Energy operates the North Anna Nuclear Power Station in the County, and has set "net zero" emissions goals for its overall generation portfolio. Achieving these goals represents a substantial benefit to the environment and will require diversification of generation resources beyond that which is achievable by wind, solar, and energy storage alone. Additional nuclear generation represents a viable path forward in this important effort. Small Modular Reactors (SMR) represent an innovative, safe alternative to traditional nuclear power stations. Ranging from 50-300MW and fabricated in a factory environment, SMR's incorporate advanced features including scalable output and safe shutdown even in the absence of operator action, and their reduced complexity results in lower infrastructure requirements. HB894 (2022) directed the Department of Energy to study the development of SMR's and convene a stakeholder group for "promoting the development of advanced small modular reactors in the Commonwealth." Louisa County supports this effort.

It is anticipated that this platform will be presented to and discussed with the County's state representatives in the General Assembly, and that future modification may be necessary based on those activities occurring in session.

Mr. Williams motioned to approve the platform as presented. Mr. Barlow seconded.

Mr. Gentry expressed concerns with lack of interest VDOT shows on road improvements and

transportation projects in Louisa County within the Secondary System of Highways. He said it appears VDOT does not take the County's projects seriously and would like to see them take a more active role in supporting those road projects.

Mr. Williams asked Mr. Gentry if he would like for them to amend their motion to include his recommendation. Mr. Gentry said yes.

Mr. Williams and Mr. Barlow agreed to amend the motion.

On the motion of Mr. Williams, seconded by Mr. Barlow, which carried by a vote of 7-0, the Board voted to approve its legislative platform, with amendments, with the understanding that further modification may be required.

Resolution – To Approve a Memorandum of Understanding Between County of Louisa, Virginia, and Blue Ridge Shores Property Owners' Association

Blue Ridge Property Owner's Associate (BRPOA) decided to replace the spillway at Lake Louisa and the conceptual plan estimated it will cost \$4.4 million to complete this project.

BRPOA can apply for a grant from FEMA to pay 75% of the cost of the new spillway. FEMA requires the grant application to be submitted by a local government.

To assist BRPOA, Louisa, a political subdivision of the Commonwealth of Virginia, is willing to co-sponsor this application if it will not incur any financial responsibility.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board (and the parties) hereby approves the memorandum of understanding and agrees as follows:

1. Louisa will co-sponsor the grant application for the spillway.
2. BRPOA or its assigns will prepare the grant application. Any Louisa staff time other than that which is de minimis will be reimbursed on an hourly basis at the current salaried rate for the involved staff member.
3. If FEMA approves the grant, BRPOA agrees to make all design and construction payments for the project. BRPOA will directly apply to FEMA for reimbursements. All expenses the county would be liable for will be paid from BRPOA's reserve accounts.
4. BRPOA acknowledges that Louisa is not responsible for the repayment of any amount to FEMA and Louisa will not have any financial responsibility because Louisa co-signed the grant application.
5. BRPOA will provide documentation to Louisa on a quarterly basis to show the payments are being made to FEMA until the repayment obligation with FEMA has been fulfilled. BRPOA will provide quarterly performance and status reports to Louisa. Any Louisa staff time other than that which is de minimis will be reimbursed on an hourly basis at the current salaried rate for the involved staff member.
6. BRPOA will provide documentation on a quarterly basis to Louisa to demonstrate that

BRPOA has sufficient funds to repay FEMA the balance due.

7. Louisa will have no obligation with respect to this grant once the grant is approved.
8. If the grant is approved by FEMA, BRPOA will post a surety bond in a form approved by the County Attorney to secure repayment any local match to FEMA by BRPOA and protect Louisa from any financial liability with respect to the grant; or, BRPOA will deposit any local match in an escrow account naming Louisa as a beneficiary to be used to pay the local obligation of the grant.

The parties hereto have caused this Memorandum of Understanding to be executed by their duly authorized representatives.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Several reports were made by the Board regarding: Goochland/Louisa County Border; Short Term Rental Work Group; and Beaver Creek & Tanyard Branch Stormwater Meeting.

Board Appointments

Mr. Goodwin reminded the Board about the Affordable Housing grant and noted they must continue to move forward with getting a plan in place on how to spend those funds. He said it might be helpful to get a pair of Board members to work with staff on identifying several locations that would be ideal for the proposed affordable housing development.

Mr. Gentry said the Board has already appointed Mr. Barnes and himself to a workgroup on identifying affordable housing locations the County.

Mr. Goodwin asked if that workgroup was created to consider a specific location.

Mr. Gentry said if the Housing Foundation has some recommendations, he would like to proceed with finding a location in the County that would meet the needs for affordable housing.

Mr. Barnes also agreed to proceed, as long as everyone is serious about affordable housing development in Louisa County.

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 – Authorizing a Budget Supplement for Federal Coronavirus Local Fiscal Recovery (SLFRF) Funding from the American Rescue Act (ARPA)

In Fiscal Year 2022, the County received its second of two allocations of Federal Coronavirus Local Fiscal Recovery (SLFRF) funding from the American Rescue Plan Act (ARPA) in the amount of \$3,650,805.50.

These funds can be used to (1) respond to the COVID-19 public health emergency or its negative economic impacts (2) respond to workers performing essential work during the COVID-19 public health emergency (3) government services to the extent of County revenue loss due to the COVID-19 health emergency and (4) to make necessary investments in water, sewer, or broadband infrastructure.

It is requested that this funding be used for County building renovation projects. These funds were not appropriated as part of the FY 2023 budget and need to be appropriated at this time.

Mr. Adams opened the public hearing. With no one wishing to speak, Mr. Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to hereby authorize a supplemental appropriation of \$3,650,805.50 to the Fiscal Year 2023 budget for the second allocation of Federal Coronavirus Local Fiscal Recovery (SLFRF) funding (0202R32-332010-COVD7) received from the American Rescue Plan Act (ARPA). The funding will be allocated to American Rescue Funding Building Enhancements (20235700-482500-COVD7) in the amount of \$3,650,805.50 to be used for County building renovations projects.

Ordinance – To Approve Amendments to Chapter 86, Article VIII and Addition of the South Anna Agricultural and Forestal District - McLoughlin

The Louisa County Community Development Department received an application by Anthony and Sarah McLoughlin to add two parcels to the South Anna Agricultural and Forestal District, identified as tax map parcels 56-73 and 56-74.

The proposed addition is located within one (1) mile of both of the land areas that currently make up the South Anna Agricultural and Forestal District. The current use of the properties for active forestry use, supports the intent of the agricultural and forestal districts.

The Agricultural, Forestal and Rural Preservation Committee met on July 27, 2022 to review the addition to the South Anna Agricultural and Forestal District and voted to forward a recommendation of approval to the Planning Commission and the Board of Supervisors for the addition of tax map parcels 56-73 and 56-74 to the South Anna Agricultural and Forestal District.

The Planning Commission held a public hearing on September 8, 2022 and voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval for the addition of tax map parcels 56-73 and 56-74 to the South Anna Agricultural and Forestal District, to the Board of Supervisors.

<u>OWNER'S NAME</u>	<u>TAX MAP PARCEL #</u>	<u>ACREAGE</u>
Anthony & Sarah McLoughlin	56-73	36.71
Anthony & Sarah McLoughlin	56-74	4.00

Mr. Adams opened the public hearing. With no one wishing to speak, Mr. Adams closed the

public hearing and brought it back to the Board for discussion.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the request for the addition of tax map parcels 56-73 and 56-74 to the South Anna Agricultural and Forestal District, with resulting amendments to 86-501 districts described.

Ordinance – To Approve Amendments to Chapter 86, Article VIII and Renewal of Shelton’s Mill Agricultural and Forestal District

The Shelton’s Mill Agricultural and Forestal District was established by the Louisa County Board of Supervisors on December 7, 1992 for a ten-year period and was renewed in 2002 and 2012 for additional ten-year periods.

The Louisa County Community Development Department has contacted the current property owners of parcels identified in the above referenced agricultural and forestal district and advised them that the approved district will expire on December 7, 2022.

There are seven (7) parcels that currently encompass the Shelton’s Mill Agricultural and Forestal District. A response was received on four (4) of those parcels. All of the responses received indicated a desire to remain in the Shelton’s Mill Agricultural and Forestal District (tax map parcels 97-75, 97-73, 97-74, 101-96).

The Agricultural, Forestal and Rural Preservation Committee met on July 27, 2022 to review the renewal of the Shelton’s Mill Agricultural and Forestal District and voted to forward a recommendation of approval to the Planning Commission and the Board of Supervisors to renew the district for an additional ten (10) year period, until December 7, 2032; and

The Planning Commission held a public hearing on September 8, 2022 and voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to renew the Shelton’s Mill Agricultural and Forest District, to the Board of Supervisors.

Shelton’s Mill	97-75; 97-73; 97-74; 101-1-1; 101-96; 101-95; 101-9-D
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Mr. Adams opened the public hearing. With no one wishing the speak, Mr. Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Barlow, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the renewal of the Shelton’s Mill Agricultural and Forestal District for an additional ten-year period, until December 7, 2032, with any resulting amendments to 86-501 districts.

Resolution – To Approve the Request to Amend Conditional Use Permit CUP2021-03 Mine & Hemmer

Mr. Josh Gillespie, Director of Community Development, provided a brief overview of the request.

On November 22, 2021, the Board of Supervisors approved CUP2021-03, Aura Power Development (USA) LLC, a.k.a. the Mine & Hemmer Project, for a utility scale solar generation facility with thirty-one (31) conditions. The applicant is requesting an amendment to Condition 18 of CUP2021-03 as follows:

~~18. Building Permit Deadlines. Building permits must be obtained on or before November 22, 2031, and construction pursuant to this building permit for a solar generation facility utility scale, for up to 94 MW AC must be completed within three (3) years from issuance of the building permit, or this Conditional Use Permit shall become null and void, unless extended by agreement with the County, the Applicant, property owners, and assigns.~~

18. Building Permit Deadlines. A Building permit must be obtained on or before November 22, 2031, or this Conditional Use Permit shall become null and void, unless extended by agreement with the County Board of Supervisors, the applicant, and the owners of the property.

This project is located near the Town of Mineral, VA and located in the Mineral voting district. The property is further identified as tax map parcel 43-4 and located east of Route 623 (Chopping Road), west of Route 522 (Zachary Taylor Highway), and north of CSX railroad line. Access is off SR 746 (Old County Road). The project would operate for 35 to 50 years on 448.9 acres (445.83 land book records) that could produce up to 94 Megawatts of Alternating Current (MW AC). The Project's solar arrays and ancillary equipment will occupy about 200 acres. The remaining 248.9 acres will be used for setbacks, vegetative buffers, pollinator plantings, creeks, streams, wetland protection areas, erosion and sediment control measures, stormwater management, roads, and construction staging areas. The proposed solar facility's lifespan is 35 to 50 years, and at the end of such time the project owner shall remove all improvements and the land use will revert to farmland or timber, supporting the 2040 Plan's guiding principle of preserving the County's rural character.

The Planning Commission held a public hearing on September 8, 2022, and voted to forward a recommendation that the public necessity, convenience, general welfare, or good zoning practice compels it to make the recommendation of approval to the Louisa County Board of Supervisors on the request for an amendment to Condition 18 of CUP2021-03, to the language requested by the applicant.

Mr. Adams opened the public hearing.

Mr. Charles Purcell, Applicant, appeared before the Board to offer some revisions to the condition to be further simplified. He suggested they add the bold words in the following statement:

Building Permit Deadlines. Building permits must be obtained on or before November 22, 2031, and construction pursuant to this building permit for a solar generation facility utility scale, for **up to 94 MW AC** must be completed within three (3) years from issuance of the building permit, **not including line upgrades**, or this Conditional Use Permit shall become null and void, unless extended by agreement with the County, the Applicant, property owners, and assigns.

Mr. Goodwin said staff has not had the opportunity to review Mr. Purcell's suggested

amendments and requested the Board take a recess to discuss further.

The Board took recess at 7:36 p.m. and reconvened at 8:06 p.m.

Mr. Adams referred to the information included in the packet that was presented to the Board at the beginning of the hearing. He acknowledged the following recommendation:

18. Building Permit Deadlines. A Building permit must be obtained on or before November 22, 2031, or this Conditional Use Permit shall become null and void, unless extended by agreement with the County Board of Supervisors, the applicant, and the owners of the property.

Ms. Vicky Hart, Louisa District, appeared before the Board to express her concerns with the proposed development repeating the same errors as Belcher Solar.

Mr. Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 6-0-1, with Mr. Purcell abstaining, the Board voted to approve Aura Power Solar (USA), LLC Conditional Use Permit CUP2022-05 (amendment to CUP2021-03), with the following amended Condition 18, with all other conditions remaining unchanged.

18. Building Permit Deadlines. A Building permit must be obtained on or before November 22, 2031, or this Conditional Use Permit shall become null and void, unless extended by agreement with the Louisa County Board of Supervisors, the applicant, and the owners of the property.

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 October 3, 2022 meeting at 8:10 p.m.

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