



**Board of Supervisors
County of Louisa
Tuesday, August 8, 2023
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the August 8, 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	Absent	
Eric F. Purcell	Louisa County Supervisor	Present	5:00 PM
R. T. Williams	Jackson District Supervisor	Absent	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, Deputy County Administrator; Kyle Eldridge, Assistant County Attorney; Wanda Colvin, Deputy County Administrator/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; Josh Gillespie, Director of Community Development; and Scott Raettig, Information Technology

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Purcell, which carried by a vote of 6-0, 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., to discuss the performance of employees in administration, the county attorney's office, and general services; and
2. In accordance with §2.2-3711 (A) (7) and (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
3. In accordance with §2.2-3711 (A) (7) and (8) VA Code Ann., to consult with legal counsel and staff about potential litigation in the Green Springs District; and
4. In accordance with §2.2-3711 (A) (7) (8) and (29) VA Code Ann., to consult with legal counsel and staff about the award of a potential contract for the construction of buildings 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. Barnes, which carried by a vote of 6-0, 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	Seconder	Yes/Aye
R.T. Williams, Jr.	Mover	Yes/Aye
Willie L. Gentry Jr.	Voter	Absent
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 6-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Board of Supervisors has convened a Closed Meeting this 8th day of August 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 8th day of August 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. Adams led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

Mr. Barlow motioned to amend the agenda and remove item #6 (Ordinance Amending Louisa County Code Section 14.4.1 Animals Running at Large; Enforcement) from public hearings. He said he would like to provide the public more time to review the proposed amendment and the Board the opportunity to come up with a better solution.

Mr. Williams explained the purpose of the proposed amendment and stated the item should remain on the agenda for deliberation. He provided an overview of incidents that have occurred throughout the years regarding livestock running at large and the effects it has on the public's safety and wellbeing. He also touched briefly on the language incorporated in the ordinance and the reason it should remain on the agenda.

Mr. Barlow's motioned failed due to lack of a second.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board voted to adopt the June 20, 2023, agenda, as presented, with no changes.

MINUTES APPROVAL

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

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board voted to approve the minutes of the July 17, 2023, regular meeting.

BILLS APPROVAL

Resolution – To Approve the Bills for the Second Half of July 2023 (FY23)

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board adopted a resolution approving the bills for the second half of July 2023 (FY23).

Resolution – To Approve the Bills for the First Half of July 2023 (FY24)

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board adopted a resolution approving the bills for the second half of July 2023 (FY24).

CONSENT AGENDA ITEMS

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 5-1, with Mr. Barlow voting against, the Board voted to adopt the Consent Agenda items for August 8, 2023, as follows:

1. Resolution - Authorizing The General Services Department To Proceed With The Replacement of ACC-1 and AHU-1 At The Administration Building And Replacement Of The HVAC Units At The New Human Services Building
2. Resolution - Authorizing the General Services Department to Proceed with the Purchase and Installation of Acoustical Sound dampening Treatments for the Circuit Court
3. Resolution – Authorizing the General Services Department to Proceed with the Installation of a Whole Building Generator at the Louisa County District Courthouse and Circuit Court Building LED Lighting Conversion
4. Resolution - To Proceed with Louisa County Water Authority's Northeast Creek Water Treatment Plant Sludge Vac System Capital Project
5. Resolution - To Proceed with the FEMS Rescue and Fire Apparatus Capital Projects
6. Resolution - To Proceed with CAMA Software Capital Project
7. Resolution - Authorizing the Fire & EMS Department to Proceed with a Command Vehicle Replacement
8. Resolution - Authorizing a Pass Through Appropriation for Insurance Proceeds
9. Resolution - Budget Supplement to National Association for the Advancement of Colored People for Support of the Annual African American Heritage Festival

10. Resolution - To Approve a Pass Through Appropriation for Vending Machine Commissions

RECOGNITIONS

Mr. Goodwin read the resolution recognizing the 2022/2023 Louisa County high School Girls' Varsity Softball Team, for Winning the VHSL Class 4 State Championship and Mr. Barnes presented a framed copy to the coaches and team.

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Vicky Harte, Louisa District, addressed the Board about a conversation she had with Mr. Barlow and FEMA about the FEMA Flood Program and why the County is no longer part of the program.

Ms. Beverly Prather, Green Springs District, appeared before the Board to talk about licensed contractors and how the County should enforce and regulate those who do work within its borders.

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

INFORMATION/DISCUSSION ITEMS

Presentation – Louisa Forward Foundation

Ms. Tracy Clark, Executive Director – Louisa Chamber of Commerce/Louisa Forward Foundation, appeared before the Board to talk about the establishment of the foundation. The Louisa Forward Foundation, in partnership with the Louisa County Chamber of Commerce and community business partners, launched Leadership Louisa designed to help build leaders and grow community. The professional development program is a unique combination of relationship-building, learning, problem-solving, and community engagement for Louisa County business professionals.

The Louisa Forward Foundation is designed to promote economic, civil, cultural, and social welfare of the citizens of Louisa County through educational programs. The goal is to conduct programs and events to encourage business enterprise in Louisa County and surrounding counties, promote and support economic and community development growth through activities that organize and contribute to commerce in the community.

The Nonprofit Cooperative provides opportunities for nonprofit organizations to network and form collaborative relationships with for-profit chamber members. Recurring events include the annual Nonprofit Summit and grant writing classes. Their half-day October nonprofit summit allows organizations and businesses the opportunity to come together, learn from each other, and collaborate.

In Fall 2021, the Town of Louisa formally joined the Virginia Main Street network and became an Exploring Main Street community. The Louisa Forward Foundation will serve as the lead organization and focus on creating improved economic opportunity downtown and enhancing quality of life through community-driven revitalization efforts. As part of its goal, the

foundation, with support from Rappahannock Electric Cooperative, Dominion Energy, and other partners, has launched Charge Up Louisa. Charge Up Louisa is an effort to provide charging stations in the Town of Louisa to help attract more tourist and patrons as they travel through the area. Additionally, the Town of Louisa will be celebrating its 150th anniversary on September 30th and has been working with the foundation to promote its occasion. Mayor Garland Nuckols appeared before the Board to talk briefly about the celebration and events to ensue.

UNFINISHED BUSINESS

NEW BUSINESS/ACTION ITEMS

Resolution – Authorizing a Budget Supplement for Louisa County Water Authority Supplemental

The Louisa County Water Authority (LCWA) began operating the Lake Anna Waste Water Treatment Plan on May 1, 2023. The LCWA immediately began evaluating and testing the plant to determine what would be needed to have the plant running properly and compliant.

The Louisa County Water Authority is requesting \$100,000 to continue to repair broken and out of service equipment, install fencing around the site perimeter, repair and upgrade the control systems, and several other outstanding items that have been identified.

The additional operational costs were not anticipated and, therefore, not included in the Fiscal Year 2024 budget process.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 6-0, the Board voted to authorize a budget supplement and payment to the Louisa County Water Authority to cover the additional expenses at the Lake Anna Wastewater Treatment Plant (GL # 10043040-451070) in the amount of \$100,000. The source of funding is General Fund Balance.

Resolution – Jaunt Transit Services Agreement

Jaunt provides public transit services to Louisa County residents and is requesting that funding partners enter into operating agreements which document services that will be provided to Louisa County and funding that will be provided to Jaunt for these services. Funding was approved in the amount of \$475,647 for fiscal year 2024 as part of the budget process. If approved, the agreement will not automatically renew but a new agreement will be considered each year, contingent on funding available after annual consideration by the Louisa County Board of Supervisors of outside agency funding requests and budget approval.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board voted to approve the aforementioned Transit Services Agreement between Louisa County and Jaunt.

Resolution – Authorizing the Purchase of an Ambulance for the Louisa County Department of Fire and EMS with RSAF Grant Funds and Donations

The Louisa County Department of Fire and EMS recently was awarded a Rescue Squad Assistance Fund (RSAF) grant for the purchase of an ambulance. The total cost of the ambulance is \$350,000 of which \$175,000 was awarded as part of the RSAF Grant, requiring a local match of \$175,000. The Department of Fire & Emergency Medical Services has received a donation in the amount of \$150,000 from the Foundation for Lake Anna Emergency Services to be used towards the match requirement on the aforementioned grant. The Department of Fire & Emergency Medical Services has also received a second donation from the Foundation for Lake Anna Emergency Services from a BAMA Works pass through grant that the Foundation received for ambulance equipment in the amount of \$5,000.

This funding was not included in the FY24 budget and needs to be appropriated at this time.

The Board took a moment to recognize the Gallaghers and the Foundation for Lake Anna Emergency Services on all their hard work and efforts in raising donations to help offset costs associated with the New Bridge Fire & EMS Station.

The Gallaghers took a moment to thank the community, business partners, and the Board for their continued support.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 6-0, the Board voted to authorize a budget supplement in the amount of \$355,000 for the purchase of an ambulance (20232300-481051-C3109) in the amount of \$350,000 using RSAF grant funding and donations and ambulance/medical equipment (30332000-480050) in the amount of \$5,000. The Source of this Funding is as follows:

Rescue Squad Assistance Fund, 0202R24-324040-C3109	\$175,000
Donations/Misc Revenue, 0303R18-318930	\$155,000
Revenue Recovery Fund Balance 0225R49-349020	\$ 25,000
Total - \$355,000	

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES**Committee Reports**

Mr. Barnes provided a brief update on an affordable housing conference he attended recently.

Board Appointments

On the motion of Mr. Gentry, seconded by Mr. Barnes, which carried by a vote of 5-0, the Board voted to appoint the following individuals:

- Appointed Mr. Charles Rosson to the Ag/Forestral and Rural Preservation Committee to Represent the Louisa Extension Office

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.

Mr. Goodwin turned the Board's attention to correspondence he received from Orange County Administrator, Theodore Voorhees, regarding their role with the Lake Anna Advisory Committee (LAAC). He stated Orange County prefers to no longer serve as a meeting host nor provide staff support to LAAC but seeks to remain engaged with LAAC at a reduced level. He said Orange County has indicated that Spotsylvania and Louisa counties have significantly greater levels of interest than them in matters related to Lake Anna, and after a review of the LAAC Cooperative Agreement and the Bylaws, it reveals that any amendments to the current arrangement would need to be agreeable to all three counties. Alternatively, all the Boards of Supervisors would need to amend the Cooperative Agreement by ordinance to excuse Orange from the LAAC entirely.

Mr. Goodwin and several members of the Board noted their concerns with the proposed arrangements. Mr. Goodwin encouraged the Board to reach out to their counterparts at Orange County to discuss ways to remain engaged in this partnership.

Mr. Barnes requested that Firefly provide a progress update at one of their upcoming meetings.

Mr. Purcell took a moment to personally commend Chief Hawk and her staff on their hard work and efforts in serving the community.

PUBLIC HEARINGS

Resolution – To Approve/Deny Rezoning Application – REZ2023-02, Thomas & Mary Johnson; Applicant/Owner

Mr. Josh Gillespie, Director of Community Development, appeared before the Board to provide an overview of Rezoning Application – REZ2023-02.

Thomas Johnson and Mary Johnson, submitted a request for rezoning 10.8 acres of parcel 40-22-C from General Commercial (C-2) to Agricultural (A-2). The goal of this rezoning is to allow for a family subdivision. The property is located on the south side of Louisa Road (Route 22), approximately 0.3 miles west of the Louisa town limits, in the Patrick Henry Election District.

At a regular meeting of the Louisa County Planning Commission held July 13, 2023, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the request for rezoning approximately 10.8 acres of tax map parcel 40-22-C from General Commercial (C-2) to Agricultural (A-2) to allow for a family subdivision.

Chairman Adams opened the public hearing.

Thomas Johnson, Applicant, appeared before the Board to provide clarification on his request.

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

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 6-0, to approve the request for rezoning of tax map parcel 40-22-C as presented.

Resolution – To Approve/Deny Rezoning Application REZ2023-03, Fluvanna/Louisa Housing Foundation; Applicant/Owner

Mr. Gillespie appeared before the Board to provide the staff report on rezoning application – REZ2023-03 for the Fluvanna-Louisa Housing Foundation.

Fluvanna-Louisa Housing Foundation submitted a request for rezoning approximately 8.332 acres of tax map parcels 42-4C and 42-4D from Industrial Growth Area Overlay District (IND GAOD) to Residential General Growth Area Overlay District (R-2 GAOD). The applicant will be permitted to use and install utility easements, stormwater management areas, and access points on the adjacent parcel 42-4D with permission from the Resource Council (current owner). The goal of the project is to allow for the construction of twenty-five (25) multi-family dwelling units to provide housing for senior citizens and local employees of Louisa County.

The property is located in the southeast quadrant of Chalk Level Road (Route 652) and Resource Lane (Route 1199) in the Mineral Election District.

At a regular meeting of the Louisa County Planning Commission held July 13, 2023, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the request for rezoning approximately 8.332 acres of tax map parcel 42-4C from Industrial Growth Area Overlay District (IND GAOD) to Residential General Growth Area Overlay District (R-2 GAOD).

Ms. Kim Hyland, Director of Fluvanna/Louisa Housing Foundation, provided a PowerPoint presentation which included: history and housing needs in Louisa County; services and resources; overview on the increase of services and grants obtained by the agency; conceptual plan for the proposed housing units; layout and accommodations of the units for senior living, essential workers, and individual households; construction project impacts; and Area Median Income (AMI) for Louisa County.

The Board asked questions regarding: relocation of water/sewer and associated costs and residency qualifications and income criteria.

Mr. Lloyd Runnett, Louisa Resource Council, appeared before the Board to talk about the housing crisis issue in Louisa County and thank them for their consideration of the request.

Chairman Adams opened the public hearing.

Ms. Vicky Harte, Louisa District, expressed concerns/confusion with the proposed project and residency qualifications.

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

On the motion of Mr. Barnes, seconded by Ms. Jones, which carried by a vote of 6-0, the Board voted to approve the request for rezoning tax map parcel 42-4C and 42-4D as presented.

Resolution – To Approve/Deny Conditional Use Permit – CUP2023-03, Fluvanna/Louisa Housing Foundation; Applicant/Owner

Mr. Gillespie went over the staff report for conditional use permit – CUP2023-03 for Fluvanna-Louisa Housing Foundation.

Fluvanna-Louisa Housing Foundation submitted a request for a conditional use permit for a property identified as tax map parcel 42-4C. The request for a conditional use permit will allow for the construction of twenty-five (25) multi-family dwelling units consisting of sixteen (16) one-bedroom units designed for senior citizens, and nine (9) two-bedroom units for local employees of Louisa County. The property is located in the southeast quadrant of Chalk Level Road (Route 652) and Resource Lane (Route 1199) in the Mineral Election District.

At a regular meeting of the Louisa County Planning Commission held July 13, 2023, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the request for a conditional use permit to allow for the construction of twenty-five (25) multi-family dwelling units with the following nine (9) conditions:

1. Project Parcel. Parcel 42-4C will be permitted to construct a maximum of (twenty-five) 25 multifamily dwelling units.
2. Adjacent Parcel. The applicant will be permitted to use and install utility easements, stormwater management areas, and access points on the adjacent parcel 42-4D with permission from the Resource Council (current owner). The Resource Council will be provided with a copy of the site plan by the applicant during the site plan review process for comment.
3. Requirements. The Fluvanna-Louisa Housing Foundation (FLHF) will provide affordable housing per the requirements of United States Department of Housing and Urban Development (HUD) and Thomas Jefferson Planning District Commission (TJPDC) agreements for HOME funding to Louisa County residents in need to include two (2) primary groups:
 - a. Seniors below (sixty) 60% Annual Medium Income (AMI).
 - b. Essential Workers, those working in critical jobs who cannot find housing in the area due to low availability and high rents – these workers will fall into necessary requirements per HUD restrictions, primarily under (eighty) 80% AMI.
4. Rental Rates. FLHF, as property manager, will charge rental rates per the guidelines required by HUD and any other applicable entities involved. These have traditionally been (thirty) 30% of the renter's income as opposed to the market rate rent.
5. Annual Reporting.
 - a. FLHF will report to the county on an annual basis the resident demographic income requirements and overall progress of the construction process and, thereafter, the

occupancy rate of the site.

b. FLHF will report to the Thomas Jefferson Planning District Commission Regional Housing Partnership or successor regional programs on an annual basis the resident demographic income requirements and overall progress of the construction process and, thereafter, the occupancy rate of the site.

6. Accessibility and Maintenance. The project will provide affordable housing that is handicapped accessible and well maintained.
7. Collaboration. FLHF will work with the senior residents to provide access to local services and transportation by continuing to work closely with other agencies providing services, such as the Louisa County Resource Council, Jefferson Area Board for Aging (JABA), Monticello Area Community Action Agency (MACAA), and PACE.
8. Community Involvement. FLHF will seek out community partners for this project reaching out to organizations such as:
 - a. Louisa County Public Schools Career and Technical Education (CTE) Program to educate students on housing construction, development and site design, project management, landscape design.
 - b. Master Gardeners and local nurseries to provide assistance in landscape design, implementation, and maintenance with a desire to achieve a largely native planting landscape.
 - c. Local Businesses and individuals to contribute to the project.
9. Project Site Plan Requirements. FLHF will seek out community partners for this project reaching out to organizations such as:
 - a. The project will follow all site plan and erosion and sediment control requirements of the Louisa County Land Development Regulations.
 - b. The project will provide a nature path for residents.
 - c. The project will provide a perimeter tree buffer of no less than 60 feet deep around the entire project.
 - d. Fireworks will not be permitted to be stored or used in the development.
 - e. Abandoned or inoperable vehicles will be removed from the property
 - f. Basic maintenance of vehicles such as oil changes and brake changes will not be permitted on site.

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

On the motion of Mr. Barnes, seconded by Ms. Jones, which carried by a vote of 6-0, the Board voted to approve the conditional use request of tax map parcel 42-4C as presented.

Resolution – To Approve/Deny Special Exception – SEP2023-02, Fluvanna/Louisa Housing Foundation; Applicant/Owner

Mr. Gillespie went over the staff report for special exception – SEP2023-02 for Fluvanna-Louisa Housing Foundation.

The applicant's purpose of the special exception is from the requirements of Sec. 86-123 for landscaping, buffering, and screening. The applicant also requests a special exception from the requirements of Sec. 86-124 site design and architectural guidelines (3) building materials to allow for the use of cement board siding and vinyl siding.

The property is located in the southeast quadrant of Chalk Level Road (Route 652) and Resource Lane (Route 1199) in the Mineral Election District.

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

On the motion of Mr. Barnes, seconded by Ms. Jones, which carried by a vote of 6-0, the Board voted to approve the special exception request of tax map parcel 42-4C.

Resolution – The Sale of Surplus Property Located in the Louisa District to Region Ten

Mr. Goodwin explained a 0.097 acre parcel of land, located off Elm Avenue in Louisa County and owned by the Louisa County Board of Supervisors is no longer useful to the County at the place where the parcel is situated. The same parcel of land has been determined to be useful and necessary to adjacent property owners at or near that location. Said property owners have offered to purchase the surplus aforementioned parcel of land from the County for a reasonable sum.

the Louisa County Board of Supervisors has determined that the sale of this surplus real property furthers the general health, safety, and welfare of its citizens.

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

On the motion of Mr. Purcell, seconded by Mr. Williams, which carried by a vote of 6-0, the Board voted to authorize the sale of surplus property off Elm Avenue located in Louisa County, Virginia to Region Ten.

The Board took recess at 7:43 p.m. and reconvened at 7:54 p.m.

Ordinance – Amending Louisa County Code Section 14.4.1 Animals Running at Large; Enforcement

Mr. Williams explained the county has been working on an ordinance to address matters of livestock running at large for a period, after concerns of such activity was brought to the Board's attention. He stated a draft ordinance has made its way through the Agricultural/Forestral and Rural Preservation Committee and has since been at the Planning Commission level for the past six months.

He read aloud the language to be incorporated into Louisa County Code Sections 14.4.1 and 14-3 (see below). He noted the ordinance will include a fine of up to \$250 for each animal allowed by the owner to intentionally and knowingly roam outside of its property, with a violation not to exceed fines for more than eight animals, or \$2,000.

Sec. 14-3. Fence law declared.

The board of supervisors hereby declares the boundary line of each lot and tract of land in the county to be a lawful fence as to any and all livestock, poultry, and fowl as defined in Sec. 14-2.

Sec. 14-80. – Livestock and Poultry not to be off owner's premises; enforcement.

It shall be unlawful for any livestock or poultry in this county to be allowed by the owner to run at large ***intentionally*** or ***knowingly*** beyond the lawful fence as described in Section 14.2. For the purpose of this section, livestock or poultry shall be deemed to be "running at large" while roaming or running off the property of its owner or custodian and not under its owner's or custodian's immediate control. A violation under this section shall result in a \$250.00 fine. Each animal unlawfully running at large shall constitute a separate violation. Animals running at large, pursuant to this section, may be impounded in accordance with any other applicable law. A violation of this section will result in a court summons pursuant to Louisa County Code [section 14-51](#) for an unlawful act that constitutes a Class 4 misdemeanor.

Mr. Williams provided an overview of incidents that have occurred throughout the years regarding livestock running at large and the effects it has on the public's safety and wellbeing. He noted the proposed amendments, if approved, will expire at 11:59 p.m. on September 5, 2023. Between now and then, the Chairman intends to appoint county leaders and local farmers to a committee to further discuss a draft ordinance, which will be discussed at the Board's September 5th meeting.

Mr. Purcell asked the County Attorney if the proposed amendments were reviewed by the office of the Attorney General and is considered legal and in proper form for adoption.

Ms. Phillips responded yes. She indicated the opinion is that the proposed amendments are designed to hold the "frequent flyers" accountable for their negligence in this situation.

Ms. Jones asked why the exemption for Land Use has been removed from the proposed amendment.

Ms. Phillips said there have been iterations with Land Use being an exemption, however there were reservations in respect to how that can be legally enforced.

The Board requested that Chief Ellison of the Animal Control Division for Louisa County come forward to answer questions.

The Board asked questions in regard to: enforcement on livestock running at large; what is considered negligence and intentional; the difference between impoundment and seizure and how the animal control division handles each situation; civil verses criminal matters; how the animal control division handles livestock running at large that are not habitual and intentional; and how the proposed amendment will provide a solution to the ongoing issues, which were answered by Chief Ellison.

Chairman Adams opened the public hearing.

Mr. Fred Massie, Mineral District, spoke in opposition to the proposed amendment on livestock running at large.

Mr. Doug Hitchcock, Property Owner, explained the ongoing issues he's experienced with livestock running at large on his property. He said he wants to ensure that the proposed amendment will not have any negative impact on farmers in the community.

Mr. Steve Hopkins, Patrick Henry District, addressed the Board on how to address the situation with a permanent solution, but urged the Board to take care of the issues at hand by adopting the proposed temporary ordinance.

Mr. Lee Rosson, Patrick Henry District, encouraged the Board to address the situation with a permanent solution without implementing an ordinance or having a negative impact on the farmers.

Mr. Davis Shaw, Green Springs District, encouraged the Board to consider a clause in the ordinance that would provide livestock owners the ability to correct the issue before issuing a fine.

Mr. James Kane, Mineral District, provided instances where there is no control over livestock running at large and spoke in favor of a solution to hold owner's of free roaming livestock accountable.

Mr. Robert Worton, Jackson District, asked what the next steps would be if the Board chooses to adopt the proposed ordinance.

Mr. Williams answered Mr. Worton's question.

Mr. Charles Rosson, Louisa Extension Agent - Louisa District, referenced existing code on animals running at large and questioned why it doesn't already address the issue. Mr. Rosson further expressed his concerns with passing a temporary ordinance that could become permanent and the repercussions it would have on farmers.

Ms. Phillips stated the current code was looked at exhaustively and it was determined to be insufficient in these situations.

Back and forth discussion ensued between the Board, County Attorney and Chief Animal Control Officer on enforcement measures and how the proposed amendment will provide a solution to the ongoing issues.

Mr. Sylvester Courtney, Louisa District, provided examples of responsible farmers and irresponsible livestock owners. He encouraged the Board to address the situation without having a negative impact on the farmers who do things the right way.

Ms. Nicole Atkins, Patrick Henry District, asked if the County will incur the costs associated with impoundment of animals that are taken under the proposed ordinance.

Mr. Adams noted several years ago the County passed an ordinance that now holds the owner of the animals responsible for the cost associated with impoundment, care and maintenance.

Ms. Julie Manzari, Jackson District, expressed concerns with the proposed ordinance and noted how it may provide a way for her neighbor to vindictively try and have her animals seized when

they get out unintentionally.

Ms. Sylvia Rigsby, Louisa District, expressed her concerns with passing a temporary ordinance that could become permanent and have repercussions on responsible farmers.

Ms. Vicky Harte, Louisa District, talked about responsible farmers and irresponsible livestock owners.

Mr. C.T. Theman, Louisa District & President of Louisa Farm Bureau, said he feels the proposed ordinance is completely objective and understands that those who hold positions of authority will change as well as opinions.

Mr. John Austin, Patrick Henry District, talked about negligence and owners allowing their livestock to run at large intentionally or knowingly verses farmers who are responsible in keeping their livestock fenced in.

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

The Board took a moment to acknowledge those who appeared before them to address their concerns and to express their opinion and position with the proposed amendment.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 4-2, with Barlow and Adams voting against, the Board adopted the proposed ordinance, with changes. The ordinance will include a fine of up to \$250 for each animal allowed by the owner to intentionally and knowingly roam outside of its property, with a violation not to exceed fines for more than eight animals, or \$2,000 and will expire at 11:59 p.m. on September 5, 2023.

Chairman Adams appointed the following individuals to a committee to further discuss a permanent draft ordinance:

- Mr. Toni Williams, Board Representative
- Mr. Duane Adams, Board Representation
- Mr. Christian Goodwin, County Administrator
- Ms. Helen Phillips, County Attorney
- Chief Ellison, Animal Control Officer
- Sheriff or Designee
- Mr. Jim Riddell, Citizen Representative
- Mr. Charles Rosson, Citizen Representative
- Mr. Steve Hopkins, Citizen Representative
- Mr. C.T. Theman, Citizen Representative
- Mr. Lee Rosson, Citizen Representative
- Mr. Robert Worton, Citizen Reportative
- Ms. Julie Manzari, Citizen Representative

Adjournment

On the motion of Mr. Barnes, seconded by Mr. Gentry, which carried by a vote of 5-0, the Board voted to adjourn the August 8, 2023, meeting at 9:20 p.m.

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