



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

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the November 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; Dale Mullen, Interim County Attorney; Chris Coon, Deputy County Administrator; Wanda Colvin, Deputy County Administrator/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; Andy Wade, Director of Economic Development; Griff Carmichael, Director of Human Resources; Kris Hawk, Chief of Fire & EMS; Josh Gillespie, and Scott Raettig, Information Technology

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Barnes, 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., to discuss the performance, assignment, and compensation of employees; and,
2. 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 performance and water service agreement with Amazon Data Services, Inc., where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the County; and,

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	Voter	Yes/Aye
R.T. Williams, Jr.	Voter	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 6th day of November 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 November 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. Barnes led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

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

1. Added a Resolution to Approve and Award a Contract for Interim County Attorney Services to New Business/Action Items

MINUTES APPROVAL**Board of Supervisors (BOS) - Regular Meeting – October 16, 2023, 5:00 PM**

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the minutes of the October 16, 2023, regular meeting as presented, with no changes.

BILLS APPROVAL**Resolution – To Approve the Bills for the Second Half of October 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 October 2023.

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 November 6, 2023, as follows:

1. Resolution – To Proceed with Louisa Volunteer Rescue Station Capital Projects
2. Resolution – To Proceed with the Locust Creek Volunteer Fire Department’s Bathroom Remodel Capital Project
3. Resolution – To Proceed with Mineral Volunteer Fire Department Concrete Repair Capital Project
4. Resolution – To Amend the Performance Agreement Between the County of Louisa (“County”) and Crossing Pointe, LLC., Get Captive, LLC., and GW & FW Holdings, LLC (“Companies”)
5. Resolution – Authorizing a Pass Through Appropriation to the Animal Shelter from Virginia Department of Taxation’s Spay and Neuter Program
6. Resolution – Authorizing a Budget Supplement to Louisa Fire & EMS for a Grant Award
7. Resolution – Recognizing Patrick Hanley for his Dedicated Service on the Management Oversight Group (MOG)
8. Resolution – Authorizing a Pass Through Appropriation for Insurance Proceeds

RECOGNITIONS

(None)

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Vicky Harte, Louisa District, talked about future growth and development in the County.

With no one else wishing to speak, Chairman 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 (JSRCC), came forward and gave a presentation on recent and upcoming activities at Reynolds Community College. Dr. Pando shared data regarding Louisa’s enrollment at JSRCC as well as statistics on dual enrollment with Louisa County High School.

Discussion – West Green Springs Through Truck Restriction

Ms. Jones shared input she has received from her constituents regarding through truck traffic on West Green Springs Road. She indicated that a fair amount of associated traffic is being routed via GPS across farms where they are not supposed to be and turning around in driveways and on private property. She said she would like for the Board to consider a through truck traffic restriction on West Green Springs Road.

The Board directed staff to draft a resolution requesting VDOT perform an evaluation on West Green Springs Road for a through truck traffic restriction.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS**Resolution – To Authorize the Disbursement of Funds from the Forest Sustainability Grant**

The County of Louisa received a proportional share of funding from the Department of Forestry in the amount of \$37,457.72. The funds must be used per Code of Virginia Section 58.1-3242.1 which states that the funds must be used for public education generally or for projects related to outdoor recreation or forest conservation.

At the September 27, 2023 Ag/Forestral and Rural Preservation Committee, the Committee voted to forward a recommendation of approval of the following requests:

Brackett's Farm

Fifty (50) Arboretum Tags and Stands	\$935.00
Arboretum Tags and Stands Shipping	\$150.00
Four (4) Steel Benches w/Anchors	\$3,092.00
Steel Bench Shipping	\$400.00
TOTAL	\$4,577.00

Louisa County Cooperative Extension Office

Program I Farm & Forest Sustainability
Program II Conservation Easements
Program III USDA & State Agency Programming
Program IV Farm Transition Planning

Dinner for Approx. 50 Attendees - \$40.00/person	\$2,000/ea. dinner	\$8,000.00
Advertisement Costs		\$2,400.00
TOTAL		\$10,400.00

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board approved disbursement of funds in the amount of \$4,577.00 to Brackett's Farm and \$10,400 to Louisa County Cooperative Extension Office. The source of Funding is the Forest Sustainability Grant (GL # 0202R24-324040-C1231).

Resolution – Supporting Increased Funding for Planning District Commissions to be Included in the Governor’s Biennial Budget for FY25/26

The Virginia Association of Planning District Commissions (VAPDC) is taking steps to request that additional state funding for Planning District Commissions be included in the biennial budget that Governor Youngkin will propose to the General Assembly in December. The specific request is for an increase of \$150,000 per PDC (total funding request of \$3.15 million per fiscal year in both FY25 and FY26).

Currently, TJPDC (Thomas Jefferson Planning District Commission) and most other PDCs receive just under \$90,000 in state base funding per year. The amount requested would extend PDC staff capacity to secure federal dollars, to execute collaborative regional projects and plans, and to assist the State on joint work that benefits localities and regions.

On the motion of Mr. Barnes, seconded by Mr. Gentry, which carried by a vote of 7-0, the Board voted to support increased funding for Planning District Commissions to be included in the Governor's Biennial Budget for FY25/26.

Resolution – To Amend the 2023 Holiday Schedule

At the February 4, 2013, Board of Supervisors meeting, the Board requested that the County Administrator annually present a proposed holiday schedule for the upcoming year for the Board's approval. The proposed 2023 holiday schedule was adopted by the Board in October of 2022.

The Board would like to amend the holiday schedule and modify the Christmas break.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the amendments to the 2023 Holiday Schedule by adding a full day on Tuesday, December 26th and eliminating the half-day on Friday, December 22nd from the schedule.

Resolution – To Approve and Award a Contract for Interim County Attorney Services

The County of Louisa is in need of Interim County Attorney Services due to vacancies in the County Attorney’s office. As per section 2.2-4344 of the Virginia Public Procurement Act, the purchase of legal services is exempt from the formal competitive process. After interviewing several attorney firms, Whiteford, Taylor, & Preston L.L.P. were deemed the most qualified and will meet the needs of the county.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to authorize the County of Louisa to enter a contract with Whiteford, Taylor, & Preston L.L.P. for Interim County Attorney Services.

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

Mr. Barnes noted there are several 911 road signs located throughout the County that are damaged or missing and will need to be replaced.

Several other members of the Board mentioned signs within their district that are also damaged or missing.

The following road signs were brought up:

- Daniel Road
- Columbia Road
- Willowbrook Road
- Route 663 (Owens Creek Road)/Route 522

The Board indicated that staff should reach out to VDOT to have the signs replaced. Mr. Goodwin noted the County replaces the blue 911 road (name) signs and he will work with the Fire/EMS department in getting the signs replaced.

Board Appointments

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to appoint the make the following appointments:

- Reappointed Ms. Lillian Morris to the Commission on Aging to represent the Mountain Road District; and
- Appointed Mr. Mark Tubbs to the Industrial Development Authority - Effective January 1, 2024

County Administrator's Report

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

PUBLIC HEARINGS

Resolution – To Approve/Deny CUP2023-04, Louis Bedell III, Applicant: Terry Godbolt, Owner – Conditional Use Permit

Mr. Josh Gillespie, Director of Community Development, presented the staff report on Conditional Use Permit application – CUP2023-04. Louis Bedell III, Applicant; Terry Godbolt, Owner; requests a conditional use permit to allow for a marina, recreational sales and service, and parking facility for outdoor storage uses in the Commercial General Growth Area Overlay District (C-2 GAOD) zoning district. The property is located on Pleasant Landing Road (Route 1030), and is further identified as tax map parcels 47-11-2A and 47-11-2B, in the Cuckoo Election District.

At a regular meeting of the Louisa County Planning Commission held October 12, 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 of conditional use permit CUP2023-04, Louis Bedell III, Applicant;

Terry Godbolt, Owner with the following fourteen (14) conditions for the current owner, any successors, assignees, current or future lessee, sub-lessee, owner, or operator, as follows:

1. Noise. No music or amplified announcements from exterior loudspeakers to page employees or customers at the docks, showroom building, or parking areas shall be played by mechanical device in such a manner that the sound emanating therefrom shall violate any provision of Chapter 51-Noise and any subsequent Louisa County code regarding noise.
2. Lake Anna Water Quality Monitoring. The applicant will provide space under the docks in an area not to exceed 3 x 3 feet for water quality monitoring equipment and allow for access by monitoring staff for installation, operations, and maintenance of the monitoring equipment for Dominion Energy, Virginia Department of Environmental Quality, and Louisa County. The installation of the monitoring equipment shall be reviewed and approved by Dominion Energy. The installation of monitoring equipment will be done solely at the expense of the monitoring agency, in such a manner that will not interfere with the operation of the property and business of Owner.
3. Emergency Services Boat Slip. One (1) boat slip and one (1) jet ski slip will be provided for County Emergency Services watercraft use at no cost to the County and marked with appropriate signage so as to not be used/blocked by other watercraft.
4. Vegetative Buffer. The owner shall install a thirty (30)-foot wide evergreen buffer between parcel 47-11-1 and parcel 47-11-2A consisting of two rows of giant arborvitae trees on center and alternating to stagger plantings. The owner shall install a twenty (20)-foot wide evergreen buffer between 47-11-B2 and 47-11-1 consisting of one row of giant arborvitae trees on center and alternating to stagger plantings.
5. No Wake. Upon application to and approval by the appropriate review agencies, the owner shall install up to two (2) No Wake Buoys and place adequate signage on site that no wake will be permitted until vessels exiting the facility have entered the main body of Lake Anna.
6. Pyrotechnics. Pyrotechnics, including sparklers, are prohibited.
7. Trash. Any trash pick-up by a commercial provider is limited to Monday through Friday between the hours 8:30AM and 5:00PM.
8. Complaints. The applicant will provide Louisa County and the general public the name of the contact person responsible for the on-site operations, and the email address and phone number where the contact person may be reached, for citizen concerns and complaints to be addressed. At any time, the Zoning Administrator may request a list of complaints and how they have been addressed by the designated contact person.
9. Lighting. All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan and any subsequent plans/permits to change fixtures or shields.
10. Approvals. Prior to any site work, the applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department, the Virginia

Department of Transportation (VDOT), Virginia Department of Health (VDH), Dominion Energy, and the Virginia Department of Environmental Quality (VADEQ).

11. Land Disturbance. Should land disturbance meet or exceed 10,000 square feet of area, an erosion and sediment control plan must be prepared and submitted to the County for review and approval, prior to any land disturbing activities commencing on-site.
12. Watercraft Rentals. The property owner shall incorporate language requiring the safe operation of watercraft into all watercraft rental and watercraft slip lease agreements. Rental Watercraft will have installed technology that will alert the rental company when a speed over 5 MPH has been exceeded within the body of the cove. A log of these incidents will be kept and provided to the Zoning Administrator upon request. Rentals that violate the no wake zone will be cancelled by the rental company.
13. Inspection. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
14. Violation. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

Mr. Torrey Williams, Applicant's Agent, came forward and gave a presentation on the CUP request to allow for a marina, recreational sales and service, and parking facility for outdoor storage uses in the Commercial General Growth Area Overlay District (C-2 GAOD) zoning district. He also provided background information on the property and when it was zoned C-2. He explained how the intended use is compatible with parcels directly adjacent to Pleasants Landing. He briefly went over the list of Conditions reviewed by the Planning Commission before concluding his presentation.

Mr. Adams referred to Condition 12 and noted the technology to alert the rental company when a speed over 5 MPH has occurred within the body of the cove would be difficult to enforce and impose an additional burden on the business owner. He suggested modifications to the Condition to say that rentals must comply with the no wake zone enforced by law.

Supervisor Williams suggested they strike the first couple of sentences of Condition 12 and leave the following: *Rentals that violate the no wake zone shall be cancelled by the rental company.*

Mr. Gentry referred to the list of Conditions and noted the word "shall" and "will" are often used and wanted to know if the applicant is opposed to using the word "will" consistently throughout the list of Conditions.

Mr. Williams said the reason for the variation is a stylistic difference between his words and the County's. He said as an attorney, he typically uses the word "shall" but has no objection to using the word "will".

Mr. Barlow addressed his concerns with the height of the roof for the overwater boat slips. He said he does not see the height restriction listed in the Conditions.

Mr. Williams said it is not included in the list of Conditions but is referenced on the site plan.

Mr. Barlow recommended it be incorporated in the Conditions.

Chairman Adams opened the public hearing.

Mr. Hugh Joyce, Property Owner – Cuckoo District, appeared before the Board to express his concerns with the application, as presented. Mr. Joyce owns the residential property next to the proposed marina. He suggested adjusting the CUP for approval, which included: increase setbacks and vegetation buffer to 50 feet; eliminate or scale back the on water covered boat slips; address forklift operational noise similar fashion to the trash truck hours conditions; and address wake oar operations in the cove area.

Mr. Ed Jarvis, Mineral District, came forward to expand on the technology (automated identification system) the applicant has proffered to monitor watercraft speed within the body of the cove. He also provided his interpretation on the word “shall” verses “will”.

Ms. Vicky Harte, Louisa District, also gave her interpretation on the word “shall” verses “will”. She referred to page 106 in the packet and expressed her opinion on the trash pickup times indicated in the list of Conditions.

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

The Board and Mr. Williams went over the list of Conditions and discussed further modifications. The Board agreed to take a recess so legal counsel could work with the applicant on modifications to the conditions.

The Board took recess at 7:24 p.m. and reconvened at 7:34 p.m.

The following modifications were made to the Conditions:

- **Amendments to Condition 12. Watercraft Rentals to state the following:** Rentals that violate the no wake zone shall be cancelled by the rental company.
- **Added Condition 13. Height of Roof for Overwater Boat Slips to include the following:** The highest point of the roof for the overwater boat slips shall be no higher than twenty (20) feet when measured from the surface of the dock’s decking boards.

On the motion of Mr. Gentry, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the request for conditional use permit CUP2023-04, Louis Bedell III, Applicant; Terry Godbolt, Owner, with the following amended Conditions:

1. Noise. No music or amplified announcements from exterior loudspeakers to page employees or customers at the docks, showroom building, or parking areas shall be played by mechanical device in such a manner that the sound emanating therefrom shall violate any provision of Chapter 51-Noise and any subsequent Louisa County code regarding noise.

2. Lake Anna Water Quality Monitoring. The applicant shall provide space under the docks in an area not to exceeded 3 x 3 feet for water quality monitoring equipment and allow for access by monitoring staff for installation, operations, and maintenance of the monitoring equipment for Dominion Energy, Virginia Department of Environmental Quality, and Louisa County. The

installation of the monitoring equipment shall be reviewed and approved by Dominion Energy. The installation of monitoring equipment shall be done solely at the expense of the monitoring agency, in such manner that shall not interfere with the operation of the property and business of Owner.

3. Emergency Services Boat Slip. One (1) boat slip and one (1) jet ski slip shall be provided for County Emergency Services watercraft use at no cost to the County and marked with appropriate signage so as to not be used/blocked by other watercraft.

4. Vegetative Buffer. The owner shall install a thirty (30)-foot wide staggered evergreen buffer consisting of two rows of giant arborvitae trees on center and alternating to stagger plantings between parcel 47-11-1 and parcel 47-11-2A. The owner shall install a twenty (20)-foot wide staggered evergreen buffer consisting of one row of giant arborvitae trees on center and alternating to stagger plantings between 47-11-B2 and 47-11-1.

5. No Wake. Upon application to and approved by the appropriate review agencies, the owner shall install up to two No Wake Buoys and place adequate signage on site that no wake shall be permitted until vessels exiting the facility have entered the main body of Lake Anna.

6. Pyrotechnics. Pyrotechnics, including sparklers, are prohibited.

7. Trash. Any trash pick-up by a commercial provider is limited to Monday through Friday between the hours 8:30AM and 5:00PM.

8. Complaints. The applicant shall provide Louisa County and the general public the name of the contact person responsible for the on-site operations, and the email address, and phone number where the contact person may be reached for citizen concerns and complaints to be addressed. At any time, County may request a list of complaints and how they have been addressed by the designated contact person.

9. Lighting. All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan and any subsequent plans/permits to change fixtures or shields.

10. Approvals. Prior to any site work the applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department, the Virginia Department of Transportation (VDOT), Virginia Department of Health (VDH), Dominion Energy, and the Virginia Department of Environmental Quality (VADEQ).

11. Land Disturbance. Should land disturbance meet or exceed 10,000 square feet of area, an erosion and sediment control plan must be prepared and submitted to the County for review and approval, prior to any land disturbing activities commencing on-site.

12. Watercraft Rentals. Rentals that violate the no wake zone shall be cancelled by the rental company.

13. Height of Roof for Overwater Boat Slips. The highest point of the roof for the overwater boat slips shall be no higher than twenty (20) feet when measured from the surface of the dock's decking boards.

14. Inspection. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.

15. Violation. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

Resolution – To Approve/Deny CUP2023-05, Everleigh Vineyards & Brewing Company (JEVERS LLC/Everleigh LLC); Applicants/Owners – Conditional Use Permit

Mr. Josh Gillespie, Director of Community Development, presented the staff report on Conditional Use Permit application – CUP2023-05. Everleigh Vineyards & Brewing Company (JEVERS, LLC/Everleigh LLC); Applicant/Owners, request a conditional use permit to allow for a special occasion facility and the ability to host outdoor gatherings in the Agricultural (A-1) zoning district. The plan is to host special events, including weddings, concerts, craft fairs, car shows, and other events. The property is located on Jefferson Highway (Route 33) and is further identified as tax map parcels 73-32 and 73-26, in the Jackson Election District.

At a regular meeting of the Louisa County Planning Commission held October 12, 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 of conditional use permit CUP2023-05, Everleigh Vineyards & Brewing Company (JEVERS LLC/Everleigh LLC); Applicants/Owners with the following twelve (12) conditions as follows:

1. Complaints. The property owner or applicant will provide Louisa County and the general public the name of the contact person responsible for the special occasion facility, and the email address and phone number where the contact may be reached for citizen concerns and complaints to be addressed. At any time, the County may request a list of complaints and how they have been addressed by the contact person for the special occasion facility.

2. Lighting. All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan sketch.

3. Capacity. Maximum capacity shall not exceed 500 attendees per event, except weddings, which will have a maximum capacity of 120 attendees.

4. Number of Events. The venue shall not host more than fifteen (15) weddings/year with maximum capacity of 120 attendees and no more than thirty (30) events per year that are considered an outdoor gathering by definition.

5. Event Closings. All events must conclude by 9:45PM, not including break-down and clean-up.

6. Noise. No music shall be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom shall violate any provision of Chapter 51-Noise of the County Code. Event organizers shall make every effort to minimize the impact of noise on neighboring properties.

7. Safety. Scheduled events with over 300 persons will require at least one Sheriff's Deputy for traffic control. All expenses and permits associated with adequate on-site emergency services, traffic control, or other permits for these events are the responsibility of the applicant.
8. Buffers. Existing vegetation shall remain and be properly managed and maintained to create a visual screening buffer for adjacent property owners. Details of the existing vegetation shall be shown on any site plan required as a part of this permit.
9. Approvals. The applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department, the Virginia Department of Transportation (VDOT), and the Virginia Department of Health (VDH).
10. Land Disturbance. The applicant will submit an administrative site plan for approval by Louisa County, with review by VDOT. Should land disturbance meet or exceed 10,000 square feet of area, an erosion and sediment control plan must be prepared and submitted to the County for review and approval, prior to any land disturbing activities commencing on-site.
11. Inspection. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
12. Violation. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit; and

The Board and Mr. Gillespie went over the list of Conditions and suggested modifications. Mr. Williams and Mr. Barlow suggested that Conditions 7 and 10 be removed and modify Condition 9 to remove VDOT.

Chairman Adams questioned Condition 3 regarding the maximum capacity of attendees. Other members of the Board questioned the number of events listed in Condition 4.

Mr. Gillespie stated the maximum capacity of 120 attendees and number of events were voluntarily proffered by the applicant.

Mrs. Barbara Evers, and her Husband Dr. Joe Evers, came forward to explain the purpose for their proffered conditions on capacity and number of events. Mrs. Evers said they recognize the rural nature of the community and respect those who reside in the area. She said they felt the stipulations would be more appealing and not as disruptive to the community.

The Board and The Evers went over the list of Conditions and agreed to revise Conditions 3, 4, and 5 as follows:

- Condition 3 Capacity. Maximum capacity shall not exceed 500 attendees per event.
- Condition 4 Number of Events. The venue shall not host more than fifty-four (54) events per year that are considered an outdoor gathering by definition.
- Condition 5 Event Closings. All events must conclude by 10:00 PM, not including break-down and clean-up.

Chairman Adams opened the public hearing.

Ms. Vicky Harte, Louisa District, asked about the maximum number of attendees and how they concluded a capacity of 500.

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. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the request for conditional use permit CUP2023-05, Everleigh Vineyards & Brewing Company (JEVERS LLC/Everleigh LLC), with the following amended Conditions:

1. Complaints. The property owner or applicant will provide Louisa County and the general public the name of the contact person responsible for the special occasion facility, and the email address, and phone number where the contact may be reached for citizen concerns and complaints to be addressed. At any time, the County may request a list of complaints and how they have been addressed by the contact person for the special occasion facility.
2. Lighting. All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan sketch.
3. Capacity. Maximum capacity shall not exceed 500 attendees per event.
4. Number of Events. The venue shall not host more than fifty-four (54) events per year that are considered an outdoor gathering by definition.
5. Event Closings. All events must conclude by 10:00 PM, not including break-down and clean-up.
6. Noise. No music shall be played, either by mechanical device or live performance, in such a manner that the sound emanating therefrom shall violate any provision of Chapter 51-Noise of the County Code. Event organizers shall make every effort to minimize the impact of noise on neighboring properties.
7. Buffers. Existing vegetation shall remain and be properly managed and maintained to create a visual screening buffer for adjacent property owners. Details of the existing vegetation shall be shown on any site plan required as a part of this permit.
8. Approvals. The applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department and the Virginia Department of Health (VDH).
9. Inspection. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.

10. Violation. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

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 November 6, 2023, meeting at 7:55 p.m.

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