



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

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the December 5, 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	Absent	
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; Wanda Colvin, Deputy County Administrator/Director of Finance; Andy Wade, Director of Economic Development; James Smith, Director of Parks, Recreation, & Tourism, Griff Carmichael, Director of Human Resources; Scott Raettig, Information Technology; Manning Woodward, Supervisor Elect – Louisa District; and Christopher McCotter, Supervisor Elect – Cuckoo District

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Barnes, which carried by a vote of 4-0, 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 and assignment of employees, public officers, and appointees; and,
2. In accordance with §2.2-3711(A)(1) VA Code Ann., to consider the acquisition of real property for a public purpose for a future emergency communication tower located in the county; and,
3. In accordance with §2.2-3711(A)(7)(8) and (29) VA Code Ann., to consult with legal counsel and staff about legal agreements and related matters regarding Amazon Data Services and the Louisa County Regional Airport.

REGULAR SESSION

On the motion of Mr. Barnes, seconded by Mr. Purcell, 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	Voter	Yes/Aye
R.T. Williams, Jr.	Absent	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. Barnes, seconded by Mr. Purcell, 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 5th day of December 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 5th day of December 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. Purcell, which carried by a vote of 6-0, the Board voted to adopt the December 5, 2023, agenda as amended, with the following changes:

1. Added a Resolution to Approve and Award a Contract for Front-End Load Solid Waste Hauling and Disposal Services to Consent Agenda
2. Added a Discussion on Compensation Increases for the Louisa County Board of Supervisors to Information/Discussion Items

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting – November 20, 2023, 5:00 PM

On the motion of Mr. Barnes, seconded by Mr. Purcell, which carried by a vote of 6-0, the Board voted to approve the minutes of the November 20, 2023, regular meeting as presented, with no changes.

BILLS APPROVAL

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

On the motion of Mr. Barnes, seconded by Mr. Purcell, which carried by a vote of 6-0, the Board adopted a resolution approving the bills for the Second half of November 2023.

CONSENT AGENDA ITEMS

On the motion of Mr. Barnes, seconded by Mr. Purcell, which carried by a vote of 6-0, the Board voted to adopt the Consent Agenda items for November 20, 2023, as follows:

1. Resolution – Authorizing a Budget Supplement to the Louisa County Industrial Development Authority
2. Resolution – Authorizing a Budget Transfer Between Louisa County Water Authority Capital Projects
3. Resolution – To Approve and Award a Contract for Metal & Welding Services
4. Resolution – Supporting a USDA Forest Service Grant Application
5. Resolution – To Approve and Award a Contract for Front-End Load Solid Waste Hauling and Disposal Services

RECOGNITIONS

Presentation – Recognizing Patrick Hanley for His Service and Contributions to Louisa County

Mr. Goodwin read the resolution and Mr. Adams presented a framed copy to Mr. Hanley, recognizing him for his years of service on the Management Oversight Group (MOG).

Mr. Hanley took a moment to thank the Board for the opportunity to serve on the MOG.

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Kathryn Goodman, Blue Ridge Health District – VDH, thanked the Board and County staff for helping facilitate the move of the Louisa County Health Department.

Ms. Marie Jones, Mineral District, appeared before the Board to express her concerns with the proposed Apple Grove solar project.

Ms. Donna Washington, Spoke on Behalf of Alisha Stewart, and spoke against the proposed Apple Grove solar project.

Mr. Ed Jarvis, Mineral District – Town of Mineral Mayor, appeared before the Board to convey season greetings from the Town of Mineral.

Ms. Vicky Harte, Louisa District, spoke briefly on the following: Engage Louisa, VFW Auxiliary Contracts, and Army Corp of Engineers.

Mr. Garnie Horne, Mineral District, expressed his concerns with the proposed Apple Grove solar project.

Ms. Geraldine Ellis, Green Springs District, spoke in opposition to the proposed Apple Grove solar project.

Ms. Robin Horne, Mineral District, expressed her concerns with the proposed Apple Grove solar project. She requested a formal erosion and sediment plan before the CUP is approved.

Mr. Ken Ingersoll, Mineral District, expressed his concerns with the proposed Apple Grove solar project.

Mr. Gary Griffith, Mineral District, spoke briefly about riparian rights at Lake Anna and associated regulations.

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

INFORMATION/DISCUSSION ITEMS

Presentation – Fiscal Year 2023 Louisa County Annual Comprehensive Financial Report

Mr. Michael Lupton, CPA, MBA, The County's Audit Manager from Robinson, Farmer, Cox Associates, presented the County's Comprehensive Annual Financial Report for Fiscal Year 2023. He provided a PowerPoint presentation, which included an overview of the auditors and auditee's responsibilities, audit results, financial highlights, fund balance by type, and governmental fund revenues and expenditures.

Chairman Adams took a moment to commend Ms. Colvin and her team for continuing to do an outstanding job serving the citizens of Louisa County.

Discussion – Repeal of County Shoreline Ordinance

Mr. Goodwin provided a brief overview on the County's Lake Anna Shoreline Ordinance. He stated, Louisa County adopted the Lake Anna Shoreline Use and Design Standards ordinance in 2005, with design standards for structures including, but not limited to, fixed or floating docks, piers, boardwalks, slips, accessory buildings, or other types of development on, or attached to, Dominion's property. He noted that Louisa is the only locality out of the three around Lake Anna that has a separate shoreline ordinance. He said with the County's ordinance requirements duplicating Dominion's Guidelines, it can create confusion.

He explained they have come across situations around Lake Anna where it is becoming increasingly difficult to navigate around certain coves where structures such as docks, piers, slips, etc. are installed. He said the County does not have direct control over what is being built over the water in terms of how it is oriented. He noted Louisa County does maintain a measure of control on building code standards through the building permit process.

He explained since Dominion has authority over all projects on Dominion property at Lake Anna through revocable use agreements, staff recommends repeal of the Lake Anna Shoreline Use and Design Standards ordinance sections 86-656(b) through (c) to decrease unnecessary County involvement. Provisions in (b) for dark-sky lighting should be relocated to the Growth Area Design Standards in Section 86-124. Existing neighbor policies in (c) unique to Louisa County code would be removed, as detailed above. Section (d) dredging will refer to Dominion standards. Mr. Goodwin concluded his remarks requesting direction from the Board.

Mr. Barlow said he is fine with repealing the ordinance if it doesn't prevent the County from having a say on certain development on Dominion Property at Lake Anna.

Mr. Gentry provided the Board with some background information. He said in 2005, a committee was formed to address safety issues in coves around the lake. He said from there the 1/3 rule was implemented as part of the County's shoreline ordinance. He agrees there does not need to be duplicated efforts but does have concerns with leaving all authority to Dominion over projects on Dominion property at Lake Anna.

Mr. Goodwin said there is a committee that works with Dominion on an annual basis and wonders if part of the process of considering the future of the shoreline ordinance in Louisa County might not be a consideration of an annual committee to meet with Dominion.

Back and forth discussion ensued regarding the future of the shoreline ordinance. After discussion, the Board directed the Planning Commission to advertise a public hearing to repeal the County's Shoreline Ordinance

Discussion – Industrial Development Authority – Airport

Chairman Adams said the Louisa County Industrial Development Authority operates and manages the Louisa County Airport. He said for the last 18 years, there have been discussions on whether the airport should remain under the management of the IDA or County Administration. He said IDAs exist to encourage economic growth and to act as a financing option for developers. He said there was a meeting last week with representatives from the IDA, Airport, Board of Supervisors, and County Administration to start discussions and seek out the best option for the airport. Chairman Adams said as the Board liaison to the IDA, he believes now is an opportune time to see if the IDA wishes to continue down the current path or to make a break from the airport management and bring it under the management of County Administration. He said no action is requested at this time; he just wanted to inform the Board of the discussions that have occurred regarding this matter.

Discussion – Compensation Increases for the Louisa County Board of Supervisors

Mr. Purcell said the Board has not had a substantial compensation increase since 2002 and a lot has happened macroeconomically in the last 20 years. He talked about what it takes to be a member of the Board and the hours invested in doing the job right. He said he would like to ensure that the decisions regarding the future of the County are made by those who have the County's best interest at hand, and that those individuals are valued fairly.

Mr. Purcell motioned to have staff prepare materials for an upcoming Board meeting for consideration of compensation increases to the Board. Mr. Gentry seconded.

The Board asked when the increase would take effect.

Mr. Goodwin explained the Code of Virginia § 15.2-1414.2 states that prior to July 1 of each year, the current board, by a recorded vote of a majority present, shall set a maximum annual compensation, which will become effective as of January 1 of the year following the next regularly scheduled elections. He noted the increase would not take effect until January 1, 2026.

On the motion of Mr. Purcell, seconded by Mr. Gentry, which carried by a vote of 6-0, the Board voted to direct staff to prepare materials for Board consideration of compensation increases.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – To Amend Contract for Engineering and Design Work of Middle School Turf Fields

Mr. Chris Coon explained the Louisa County Board of Supervisors approved a resolution on June 5, 2023, to proceed with the engineering and design work for the Middle School Turf Fields, with a funding allocation in the Fiscal Year 2024 Capital Improvement Plan Budget for the Parks and Recreation Department. The Board authorized the Parks and Recreation Department to proceed with the engineering and design work using CHA, originally for a price not to exceed \$180,000. He noted subsequent to the authorization, it has been discovered that there is a force main under one of the proposed field locations, requiring a relocation of one of the turf fields to ensure safety and structural integrity. The relocation requires additional survey work, an additional cost of \$5,250, and a contingency fund of \$4,750 is deemed necessary to cover potential increases in costs due to this unforeseen requirement.

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 6-0, the Board voted to authorize an amendment to the CHA contract for the Middle School Turf Fields Design and Engineering to include the additional survey work and the necessary adjustments for the relocation of one of the turf fields. The not-to-exceed amount for the project is adjusted to \$190,000 to accommodate these changes.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Chairman Adams asked for Mr. James Smith, Director of Parks, Recreation, & Tourism to come forward and provide an update from the Parks, Recreation, & Tourism Advisory Committee.

Mr. Smith said he has been working with Cindy King and Chris Coon to develop a vision statement for tourism in general. He said part of the vision statement is clear marketing plan

objectives to enhance visitor experience, diversify attractions, and strengthen partnerships. He said there are four focus areas which include product development and marketing campaign, stakeholder involvement, performance metrics, and plan updates. He said the tourism advisory committee is looking to establish a group of stakeholders that collectively represent the entire county and make decisions to move forward. He said he will be seeking the Board's approval on establishing the group of stakeholders.

Mr. Goodwin requested the Board allow staff to hold preliminary meetings with some of the stakeholders to establish the formation then have the Board approve the official formation of the committee at a future board meeting.

Chairman Adams asked if this request is part of the process to divide the Parks, Recreation, and Tourism Advisory Committee into two separate functions and to establish a separate Tourism Advisory Committee.

Mr. Goodwin said yes.

Chairman Adams requested the creation of the Tourism Advisory Committee be placed under action items on the December 18th meeting agenda.

Chairman Adams asked Mr. Smith what their long-term goal is.

Mr. Smith said for parks and recreation, some of the objectives will be facility enhancement, expansion and multi-functional space to meet the needs of the community. He said to also enhance outdoor green space and make it more accessible for those with disabilities.

Chairman Adams asked about indoor activities/sports and the number of activities that can be accommodated during the week, which were answered by Mr. Smith.

Board Appointments

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 6-0, the Board voted to appoint the make the following appointments:

- To appoint Mr. Page Kemp to the Industrial Development Authority to Represent the Jackson District
- To reappoint Mr. Judd Foster to the Louisa County Water Authority Board
- To rescind appointment of Julie Manzari to the Jaunt Board of Directors

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 CUP2023-06, Christopher & Katherine Myer, Applicants/Owners – Conditional Use Permit

Mr. Tom Egeland, Senior Planner, appeared before the Board to provide an overview of Christopher & Katherine Myer, Applicants/Owners requests a conditional use permit to allow for an agricultural operation in the Residential General (R-2) zoning district. The property is located on Old Tolersville Road (Route 667), and is further identified as tax map parcels 43-112, 43-113, 43-115, 43-116, and 43-117, in the Mineral Election District.

At a regular meeting of the Louisa County Planning Commission held November 9, 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 CUP2023-06, Christopher & Katherine Myer, with the following four (4) conditions for the current owner, any successors, assignees, current or future lessee, sub-lessee, owner, or operator, as follows:

1. Animals per acre will be determined by the then-current recommended guidelines from the United States Department of Agriculture for livestock, as such guidelines may change from time to time.
2. **Biosolids will not be applied to the land. (Added by the Planning Commission but was not included in the packet)**
3. The Board of Supervisors or their designed representative have the right to inspect the site at any reasonable time without prior notice, under the condition that entry into livestock enclosure areas require the escort of the property owner.
4. Violation of the above conditions shall be grounds for revocation of the Conditional Use Permit.

Chairman Adams noted the operation of the property has been a non-conforming use for the last 50+ years. He asked Mr. Egeland how much the applicant paid the County for the conditional use permit application.

Mr. Egeland said the applicant paid \$690.

Chairman Adams said he is going to support the CUP and he will also ask that the County reimburse the filing fee back to the applicant.

Chairman Adams opened the public hearing.

Mr. James Lillie, Mineral District, appeared before the Board to reiterate that the operation of the property has been a non-conforming use for a number of years. He said he doesn't feel it should be approved under the umbrella of a CUP with burdens of conditions and oversight of the County. He said the applicant ought to be applauded for their efforts in keeping the rural nature of the property and reimbursed their fining fee.

Mr. Gary Griffith, Mineral District, made comments about the conditions listed under the CUP and asked why the Board feels it is necessary to have that much oversight on a farming operation.

Mr. Ed Jarvis, Mineral District, said the Town of Mineral supports Mr. Myers efforts in continuing an agricultural operation on the property.

Mr. David Sexton, Louisa District, spoke in support of the request.

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

Chairman Adams handed the gavel over to Mr. Barlow since the property is in the Mineral District and wanted to make the motion.

On the motion of Mr. Adams, seconded by Mr. Purcell, which carried by a vote of 6-0, the Board voted to approve the request for conditional use permit CUP2023-06, Christopher & Katherine Myer, Applicants/Owners and to refund the filing fee.

Adjournment

On the motion of Mr. Barnes, seconded by Mr. Purcell, which carried by a vote of 6-0, the Board voted to adjourn the December 5, 2023, meeting at 7:35 p.m.

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