



**Board of Supervisors
County of Louisa
Monday, December 18, 2023
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the December 18, 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: 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; 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. Purcell, which carried by a vote of 7-0, the Board voted to enter Closed Session at 5:00 p.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(1) VA Code Ann., discussion and consideration of the performance and assignment of employees and public officers and appointees of a public body, including in particular, where such evaluation will necessarily involve discussion of the performance of specific individuals of or reporting to the Board of Supervisors, the Planning Commission, the Industrial Development Authority, and/or the Louisa County Airport; and
2. In accordance with §2.2-3711(A)(7) VA Code Ann., consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and
3. In accordance with §2.2-3711(A)(8) VA Code Ann., consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; and
4. In accordance with §2.2-3711(A)(29) VA Code Ann., discussion of the award of a public

contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

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.	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. 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 18th 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 18th 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. Adams led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the December 18, 2023, agenda as amended, with the following changes:

1. Removed presentation from LCWA from Information/Discussion Items
2. Removed presentation from Dominion from Information/Discussion Items
3. Removed Resolution To Approve/Deny SA2023-03 and CUP2023-09 County of Louisa, c/o Chris Coon, Deputy County Administrator, Applicant; Louisa County Board of Supervisors, Owners; - Substantial Accord - 15.2-2232 Review- Conformance with the Comprehensive Plan of a Planned Public Facility (Civic Use) and a Conditional Use Permit Request from Public Hearings.

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting – December 5, 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 December 5, 2023, regular meeting as presented, with no changes.

BILLS APPROVAL

Resolution – To Approve the Bills for the First Half of December 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 First Half of December 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 December 18, 2023, as follows:

1. Resolution - Recognizing and Honoring Ms. Annie P. Price on the Occasion of her 100th Birthday
2. Resolution - Recognizing Mr. Willie Harper for His Years of Service on The Louisa County Industrial Development Authority
3. Resolution - Recognizing Mr. Daniel Byers for His Years of Service on The Louisa County Industrial Development Authority
4. Resolution - Recognizing Mr. Samuel Hughes for His Years of Service on the Louisa County Industrial Development Authority

RECOGNITIONS

(None)

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Mr. Dan Thomlinson, Mineral District, appeared before the Board to talk about the AWS Data Center. He urged the Board to fully understand what the company is proposing and the magnitude of the project.

Ms. Vicky Harte, Louisa District, spoke briefly about the potential impacts of the 2024 General Assembly Legislative Priorities.

Mr. Mitchell Sasser, Louisa District, appeared before the Board to introduce himself as the new editor of The Central Virginian.

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

INFORMATION/DISCUSSION ITEMS

Presentation – VDOT Quarterly Update

Mr. Scott Thornton, Residency Engineer, Louisa Residency Administrator for the Virginia Department of Transportation (VDOT), presented the VDOT quarterly update, which included an update on projects in development and preliminary engineering, county safety and operational improvements, Smart Scale projects, pavement and resurfacing, construction and maintenance activities, traffic engineering studies, and roads located in the County.

Mr. Thornton further reported on the following project and designs and speed study updates in the County:

- Troy Road and Route 250 Roundabout
- Potential improvements to the intersection of Route 250 and Route 208
- Route 22 from Boswell Tavern – help improve the line of sight at curve
- Goldmine Road from Chalklevel to Ellisville - consider a through truck traffic restriction.

Presentation – Thomas Jefferson Planning District Commission

Ms. Sandy Shackelford, TJPDC, stated over the past several years, the Thomas Jefferson Planning District Commission (TJPDC) has worked collaboratively with its member jurisdictions to improve transit service in the region. In the past year, the region undertook a collaborative effort to develop a Transit Vision Plan to establish a clear, long-term vision for efficient, equitable and effective transit service for the region. Led by the TJPDC and supported by the City of Charlottesville, Albemarle County, and DRPT, the Transit Vision Plan established a unified vision for transit service in Region 10, which is made up of the counties of Albemarle, Fluvanna, Greene, Louisa, Nelson, and the City of Charlottesville.

This governance study is a follow-up study that seeks to identify governance options for regional transit and increase transportation investments in the region. The study's focus identifies options for a governance body that can steward additional transit revenues generated; the scope does not include strategies or approaches for consolidating current transit operations.

The two main goals of this study are to:

1. Identify strategies for dedicated transit funding to augment current jurisdictional costs for transit.
2. Identify a governing structure that can manage and account for the use of the additional transit funds, better capture and allocate the full costs of service, and ensure transparency. The additional funds will support the implementation of the services in the Transit Vision Plan and increase transit services across the region.

A steering committee was formed to guide the study and provide feedback. It comprised representatives from Albemarle, Fluvanna, Louisa, Nelson, and Greene counties, the City of Charlottesville, TJPDC, Virginia Department of Rail and Public Transportation (VDRPT), and University of Virginia (UVA). Additionally, stakeholder engagement was also conducted with the transit providers, Regional Transit Partnership, the TJPDC Commission, boards of supervisors of member counties, Charlottesville City Council, the Metropolitan Planning Organization Policy Board, and the Virginia Department of Transportation (VDOT).

The following next steps are recommended as a result of feedback from this study.

- Use the CARTA structure to establish an interim entity for regional transit governance and decision making (while legislative action is being pursued) with authority to plan for transit service and with the ability to expand its role over time.
- Conduct a transit needs assessment that clearly analyzes rural transit needs and estimated service costs.
- Ensure continued rural engagement in development of legislative packet for a regional transit authority. Include protective mechanisms in the use of transit revenue generated to lead to equitable investments across the region. Continue educational efforts on the potential benefits of a regional authority and its impact on different types of residents.
- Engage UVA leadership at a level where there is decision-making authority in subsequent efforts toward establishing a transit authority.

The scope of this study does not cover identification of transit service improvements, consolidation of existing transit operations, and administration/governance of school bus operations.

Recommendations presented at the conclusion of this study do not require any immediate action beyond consensus and good faith efforts to participate and support the groundwork needed for implementation.

Back and forth discussion ensued regarding the next steps and Louisa County's future involvement with the study.

Discussion – Tourism Advisory Commission

Mr. Chris Coon explained the Tourism Advisory Committee shall act in an advisory capacity to the Board of Supervisors, County Administrator, and Director of Parks, Recreation & Tourism. The committee works with and makes recommendations on advertising, target marketing, and long-range plans for tourism in Louisa County. This committee also investigates, researches, and reports on the feasibility of adopting or implementing ideas and initiatives to further tourism efforts, increase occupancy at lodging properties, and generate tourism revenue.

The committee may form one or more subcommittees to deal with short-term measurement tools and indicators that will help successfully gauge the state tourism activities and operations in the county and/or to study any related topic of interest within the department to include the areas associated with the arts, local history, hospitality and/or leisure.

The Louisa County Tourism Advisory Committee (TAC) serves as the local tourism industry organization for Louisa County, according to VA State Code § 58.1-3819. This designation

ensures that the designated funds are allocated solely for (i) tourism and travel, and/or (ii) marketing of tourism or initiatives that, as determined in consultation with the TAC, attract travelers to the locality, increase occupancy at lodging properties, and generate tourism revenues in the locality.

The Tourism Advisory Committee is an advisory board, not a policy board. Therefore, it can make recommendations but not set policy.

The Board directed staff to move forward with the creation of the Tourism Advisory Committee.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Authorizing a Salary Increase for Board of Supervisor Members

At the December 5th Board of Supervisors meeting, Supervisor Purcell motioned to discuss salary increases for the Board of Supervisors at the following meeting. If approved, the increase will not take effect until 2026, following the 2025 election. Prior to these discussions, the salaries for the Board of Supervisors had not been evaluated and competitively adjusted since 2002.

Mr. Purcell called the increase an “investment in the future,” noting while no one does this job for the money, the pay should be more attractive for people considering election. Mr. Purcell’s comments also highlighted the County’s substantial growth in multiple respects over the 20 years and the considerable amount of work it truly takes to be properly do the job.

On the motion of Mr. Purcell, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve compensation increases for the Louisa County Board of Supervisors, \$15,000 for members and \$17,000 for the chair. The increases will take effect on January 1, 2026.

Resolution – Authorizing a Budget Supplement for Landfill Operations

Louisa County's FY 2024 co-mingle recycling contract costs have increased from \$20 per ton to \$130 per ton. The amount of additional funding needed to meet this increased cost is \$40,000. This increase was not anticipated during the FY 2024 budget process and a budget supplement is needed at this time.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to authorize a budget supplement in the amount of \$40,000 to Landfill Tipping Fees/ Recycling (51542410-431820) for the additional cost of recycling fees due to increased costs per the FY 2024 contract. The source of Funding is General Fund Balance.

Resolution – to Approve Louisa County/AWS Water and Wastewater Service Agreements

Mr. Wade provided an overview of the AWS water and wastewater service agreements.

The County of Louisa supports the economic welfare of its citizens, the creation and maintenance of sustainable jobs for its citizens, and therefore wishes to provide the necessary conditions to stimulate investment in the local economy and promote responsible business development, resulting in the creation of a substantial investment in the County, and to encourage economic growth and development opportunities. Amazon Data Services, Inc., a Delaware corporation is engaged in the development and operations of data centers. The Company has proposed to build, develop, and operate, or cause to build, develop, and operate data center facilities at locations in the County known as the North Creek Technology Campus and Lake Anna Technology Campus.

To build, develop, and operate data center facilities at the Sites, the Company intends to make billions of dollars of capital investments and create hundreds of new full-time jobs in the County. Both sites require the development of new water and wastewater infrastructure to support long-term development of the Project and Sites. The County and Company desire to enter into Water and Wastewater Service Agreements.

The Agreements identify the responsibilities of the County and Company to implement necessary processes to deliver water and wastewater infrastructure in support of the Company's Project including, but not limited to infrastructure construction and delivery timelines, deliverable and available capacities, user fees, and ongoing maintenance and operations of the infrastructure. For both campuses, AWS will design up to 30% and PER, while Louisa County will assume 100% of the design, permitting and, construction.

Mr. Wade provided the following usage of the Northeast Creek Reservoir:

- Northeast Creek Reservoir (NECR) Safe Yield Analysis (from 1980 through Dec. 31st of 2022): 3.2 MGD
- Domestic use – NECR WTP treatment capacity: 1MGD
- AWS' average daily use at full build-out: .630MGD
- **Excess Capacity: 1.57 MGD**

The County will construct, own, maintain, and operate the water and wastewater infrastructure. The Company shall pay for all costs associated with the development and construction of the necessary infrastructure to serve both Sites. The County recognizes that the Project will bring direct and indirect benefits to the County, including stimulating additional tax revenue and economic activity.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to consider the mutual covenants and agreements set forth, the Louisa County Board of Supervisors hereby agrees to the terms and conditions of the Agreements.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

(None)

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. Dustin Madison to the Industrial Development Authority as the Mineral District Representative

County Administrator's Report

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

PUBLIC HEARINGS

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 December 18, 2023, meeting at 7:21 p.m.

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