



**Board of Supervisors
County of Louisa
Monday, June 6, 2022
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the June 6, 2022 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; Helen Phillips, County Attorney; Chris Coon, Deputy County Administrator; Kyle Eldridge, Assistant County Attorney; Alexandra Stanley, Executive Assistant/Deputy Clerk; Wanda Colvin, Director of Finance; Griff Carmichael, Director of Human Resources; Josh Gillespie, Director of Community Development; Robert Dube, Chief of Fire & EMS; and Scott Raettig, Manager of Information Technology.

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Williams, 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) (3) VA Code Ann., to discuss the disposition of real property in the Green Springs District and for the acquisition of real property for public use in the Mineral District where discussion in an open meeting would adversely affect the bargaining position of the County; and
2. In accordance with §2.2-3711 (A) (7) VA Code Ann., for consultation with legal counsel and briefings by staff members about potential litigation involving property in the Patrick Henry District, and regarding potential litigation affecting all of the County.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to return to Regular Session at 5:56 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	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 June, 2022, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Louisa County Board of Supervisors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED on this 6th day of June, 2022, that the Louisa County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Board of Supervisors.

INVOCATION - MR. PURCELL

Mr. Purcell led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Purcell, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to adopt the June 6, 2022, agenda, as amended, with the following changes:

- Removed update on the Firefly Fiber Project from presentations; and
- Moved discussion on athletic fields to the top of information/discussion items.

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting - May 16, 2022 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 May 16, 2022 meeting.

BILLS APPROVAL

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

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 May 2022.

CONSENT AGENDA ITEMS

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the Consent Agenda items for June 6, 2022, as follows:

- Resolution – Authorizing a Budget Supplement to Parks & Recreation for Virginia Tourism Corporation Tourism and Marketing Grants
- Resolution – Authorizing a Supplemental Appropriation for the CIP for Boat for Sheriff's Office
- Resolution – Authorizing a Pass through Appropriation for PSAP Training Grant
- Resolution – Authorizing a Pass through Appropriation for Bissell Pet Foundation for the Louisa County Animal Shelter
- Resolution – To Refer Amendments to Chapter 86, Appendix a - Schedule of Fees to the Planning Commission

RECOGNITIONS

(None)

PUBLIC COMMENT PERIOD

Mr. Adams opened the public comment period.

Ms. Vicky Ann Hart, Louisa District, regarding flooding concerns on her property in the Town of Louisa. She indicated the Board opted out of the federal flood protection program which requires the locality to establish mitigation measures for property located in a flood zone. She said because Louisa chose to opt out, she cannot purchase flood insurance to protect her property. She provided the Board with pictures of her property after a normal to heavy rain and how actions of the County of Louisa and the town have negatively impacted her property.

Mr. David O'Leary, Green Springs District, expressed his concerns with the proposed \$17M bond referendum for a sports complex.

Ms. Jeanne Wolfe, Patrick Henry District, urged the Board to be more compassionate about the proposed name change of the library and to consider other people's feelings. She said heroes from our past are no longer heroes today.

Mr. Rico Smith, Patrick Henry District, spoke in favor of the proposed bond referendum for a sports complex.

Mr. Jim Wolfe, Patrick Henry District, spoke in in favor of a proposed name change to the Jefferson-Madison Regional Library.

Ms. Renee O'Leary, Green Springs District, expressed her concerns with the proposed \$17M bond referendum for a sports complex. She noted the language used to inform the public of the bond referendum is misleading to voters. She stated the cost of the \$9M sports complex is rolled in with unrelated improvements to athletic fields at the schools implying that all the funds will benefit local athletes. She recommended the sports complex be placed on a separate referendum

from the improvements to the athletic fields.

Ms. Mary Kranz, Mountain Road District, encouraged the board to vote down the proposed resolution to oppose the name change of the Jefferson-Madison Regional Library.

Mr. Kevin McIntire, Patrick Henry District, spoke in favor of the proposed bond referendum for a sports complex. He stressed that location is extremely important and noted the Green Springs area may not be ideal for most.

Mr. Grosvenor Merle-Smith, Patrick Henry District, said he supports improvements to the athletic fields at the schools, but is not interested in supporting a large sports complex that will be a financial burden to the taxpayers.

Ms. Joanne Hoyle, Jackson District, spoke in in favor of a proposed name change to the Jefferson-Madison Regional Library. She also expressed her concerns with the proposed sports complex and noted she would like to see improvements made to the existing athletic fields.

Mr. David Rogers, Mineral District, spoke against the proposed resolution opposing Jefferson-Madison Regional Library name change.

Ms. Sue Frankel Streit, Green Springs District, spoke in in favor of a proposed name change to the Jefferson-Madison Regional Library. She said she would like to see the name changed to the Louisa County Library.

Ms. Erica Williams, Mineral District, spoke in in favor of a proposed name change to the Jefferson-Madison Regional Library.

Mr. Jesse Diamond, IPS Solar, took a moment to talk about shared solar and how community solar panels are efficient and a more sustainable approach to solar development. He noted the proposed amendments to solar development would hinder development such as shared solar.

Mr. Todd Stucky, Green Springs District, expressed his concerns with the proposed sports complex. He noted the Board should shift their focus and invest in other areas rather than just sports.

Mr. Shane Horn, Mineral District, spoke in opposition of the proposed sports complex. He took a moment to recognize Mr. Goodwin and thank him for his service and contributions to the County.

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

INFORMATION/DISCUSSION ITEMS

Discussion – Athletic Facilities

Ms. Phillips appeared before the Board and referred to the memo that was included in the Board packet. She explained a referendum election shall be ordered at least 81 days prior to the date for which the referendum election is called. Va. Code §24.2-682(b). Since the election is on November 8, 2022, the latest date for the order to be signed is August 18, 2022. Louisa County shall provide for the preparation and printing of an explanation for each referendum question

involving the issuance of bonds to be submitted to the voters of the county, to be distributed at the polling places on the day of the referendum election. The governing body may have the explanation published by paid advertisement in a newspaper with general circulation in the county one or more times preceding the referendum. Va. Code § 24.2-687(A).

The explanation, prepared by the County Attorney, shall contain the ballot question and a statement of not more than 500 words on the proposed question. The explanation shall be presented in plain English, shall be limited to a neutral explanation, and shall not present arguments by either proponents or opponents of the proposal. "Plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession. The explanation shall (i) state the estimated maximum amount of the bonds proposed to be issued, and (ii) state the proposed use of the bond proceeds, and if there is more than one use, state the proposed uses for which more than 10 percent of the total bond proceeds is expected to be used.

A draft petition for a referendum was presented to the Board.

Discussion ensued regarding the sports complex and athletic fields and suggestions were made on the draft petition for referendum.

The Board recommended that the sports complex committee look at options and bring it back to the Board for review.

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, 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:

- Projects in Development and Preliminary Engineering
- County Safety and Operational Improvements
- Pavement/Resurfacing
- Local Assistance Programs
- Traffic/Engineering Studies
- Maintenance Activities
- Land Use Projects
- Work Orders

Comments and questions were addressed by the Board regarding pavement and resurfacing projects, which were answered by Mr. Thornton.

Mr. Thornton reported on the Route 208 (Courthouse Road) speed study. He said traffic engineers reviewed the traffic and accident history and both have shown a decrease since the last study was performed. He said VDOT does not recommend a speed reduction.

Presentation – Louisa County Water Authority Quarterly Update

Ms. Pamela Baughman, General Manager of the Louisa County Water Authority (LCWA), provided the LCWA Quarterly Update, which included; revenues & expenses; review of the

safety manual; maintenance, repairs, & projects; regulations, and status updates to the plants and waste water treatment facilities.

Discussion – Waiving of Landfill Tipping Fees

Mr. Goodwin explained that a Board member was approached by a resident who asked when they could dispose of household hazardous waste and if their fees could be waived if they cannot wait until the fall to dispose of the materials. He stated the County offers two days throughout the year for residents to dispose of hazardous waste, free of charge, and asked the Board for recommendations on waiving fees outside of the household hazardous waste days.

Discussion ensued regarding landfill tipping fees on hazardous waste.

Several members of the Board stated that even if they were to waive the fee, residents could not dispose of hazardous materials until the dedicated days to do so.

Further discussion ensued regarding general landfill tipping fees and how they could establish a fee waiver system.

Mr. Adams noted that staff is looking at reevaluating the fee structure for residential dumping at the landfill.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Authorizing an Agreement Between Thomas Jefferson Planning District Commission, Firefly, and Louisa County Regarding Awarded VATI 2022 Funding

The Commonwealth of Virginia established the Virginia Telecommunication Initiative (VATI). Pursuant to the VATI program guidelines and statutory authority, the primary objective of VATI is to provide financial assistance to supplement construction costs by private sector broadband providers, in partnership with local units of government, to extend broadband facilities to areas that presently are unserved by any broadband provider. The Virginia Department of Housing and Community Development (DHCD) has been authorized to distribute and administer funds awarded through the Virginia Telecommunications Initiative (VATI) grant-making process.

Louisa County pledged its support for obtaining VATI funding to achieve deployment of a fiber-to-the-premises last-mile broadband network to offer service to all locations within Louisa County and within all other participating counties. Louisa County resolved to participate in this regional project, to fully support the application, and to provide matching funds up to \$8,949,000 at its June 6, 2022 Board of Supervisors meeting. The participating counties cooperated in the VATI 2022 grant application process, with TJPDC as the primary applicant and FIREFLY as the co-applicant, and the parties understand the participating counties remain committed to bringing universal broadband internet access to their residents and businesses. DHCD awarded TJPDC and co-applicant FIREFLY a 2022 VATI grant (VATISF#2022-034 on December 15, 2021) to provide a fiber optic network that would extend through parts of the participating counties.

This VATI project is anticipated to take at least 36 months from the date of the grant award to complete, with an expected completion date in Louisa County by 2025. Louisa County has the \$8,949,000 in matching funds committed to support the Louisa County portion of the project. The Parties now enter into this agreement (“TJPDC/FIREFLY Louisa County agreement”) formally setting forth the respective roles regarding the work and project as the VATI grant has been awarded.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to authorize an agreement between the Thomas Jefferson Planning District Commission, Firefly, and Louisa County regarding awarded VATI 2022 funding.

Resolution – Authorizing a Supplemental Appropriation to Children's Services Act Funding

The Children's Services Act (CSA) for at-risk youth and families is a law enacted in 1993 that establishes a single state pool of funds to purchase services for at-risk youth and their families. The state funds, combined with local community funds, are managed by local interagency teams who plan and oversee services to youth. The mission of CSA is to create a collaborative system of services and funding that is child-centered, family-focused, and community-based when addressing the strengths and needs of troubled and at-risk youth and their families in the Commonwealth. The services provided under CSA are mandated services as prescribed in the Act. The Fiscal Year 2022 CSA case load projections within contractual services are exceeding budgeted expectations by an additional \$75,000 with the County's local portion being \$33,000, therefore, a budget supplement will be needed.

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to authorize a supplemental appropriation in the amount of \$75,000 to the CSA fund for Contractual Services (20553500-430020). The source of funds is \$42,000 from State Revenue (0205R23-323090) and \$33,000 from General Fund Balance (0100R99-399011).

Resolution – Opposing Jefferson-Madison Regional Library Name Change

According to information on Jefferson-Madison Regional Library's website, public libraries in Central Virginia have a rich heritage derived from the private libraries of leading forefathers - Thomas Jefferson, James Madison, and James Monroe, who each had extensive personal libraries. In 1919, local philanthropist, Paul Goodloe McIntire, offered the community the gift of a library that included land, design, furnishings, the collection of books and the construction of a building which would be joined later by branch locations. In 1972, following General Assembly formation of regional public library systems, the City and Albemarle County joined with the counties of Greene, Louisa, and Nelson to form Jefferson-Madison Regional Library.

The Jefferson-Madison Regional Library is reportedly considering a potential change to the library's name in response to concerns from local descendants of enslaved laborers. The Louisa County Board of Supervisors are opposed to any proposed name changes of the Jefferson-Madison Regional Library.

Several comments were made by the Board regarding the potential change to the library's name.

On the motion of Mr. Barlow, seconded by Mr. Williams, which carried by a vote of 7-0,

the Board voted to opposes any type of name change to the Jefferson-Madison Regional Library.

Resolution – Authorizing a Change to the Volunteer Incentive Plan

The Board of Supervisors adopted recommendations from the Management Oversight Group (MOG) in January 2022 to increase recruitment, retention, and participation of Louisa County Volunteers. This provided an increased incentive plan for volunteers to staff duty crews for immediate response to emergency calls. Original plan guidelines stated duty crews must be signed up at least 12 hours prior to their shift. Data presented to the MOG from January 1st through April 30th, 2022 indicated that signups would increase from 43% to 63% if the sign up time was decreased. The MOG has recommended that the time be changed from 12 hours to 8 hours.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the MOG's recommendation to decrease the timeframe for duty crew shifts from 12 hours to 8 hours.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

(None)

Board Appointments

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

- Appointed Mr. Doug Campbell to the Ag/Forestral and Rural Preservation Committee
- Appointed Mr. William McLaughlin to the Thomas Jefferson EMS Council

County Administrator's Report

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

PUBLIC HEARINGS

Resolution – To Approve the Issuance of Conditional Use Permit (CUP2022-02; Evergreen Farm at Rock Creek, LLC) for Special Occasion Facility and Cottages

Mr. Josh Gillespie, provided an overview on Conditional Use Permit (CUP 2022-20; Evergreen Farm at Rock Creek) for special occasion facility and cottages. Larry Han & Jianjun Tang; Applicants/Owners: Evergreen Farm at Rocky Creek, LLC, requested issuance of a conditional use permit for a special occasion facility and cottages to host weddings on the 225 acre farm. The applicants also requested a special exception from Section 86-647 - Design standards for off-street parking facilities, to allow grass parking. The properties are located 1.2 miles south of the intersection of Evergreen Road, (Route 626) and E. Jack Jouett Road, (Route 640). The properties are further identified as tax map parcels 53-116 and 53-117, in the Patrick Henry

voting district. The 2040 Louisa County Comprehensive Plan designates this area of Louisa County as rural/agricultural, adjoining the portion of the Ferncliff growth area designated for low density residential.

The Louisa County Planning Commission held a public hearing on May 12, 2022 and voted to forward a recommendation 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 above requests with the following fifteen (15) conditions; accepted by the applicant/owner:

1. 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 and any subsequent Louisa County code regarding noise. Event organizers shall make every effort to minimize the impact of noise on neighboring properties.
2. Existing vegetation shall remain and be properly managed to create a visual screening buffer for adjacent property owners.
3. Hours of event operations will be from 8AM to 10 PM, not including set-up and clean-up.
4. No more than 300 persons per event.
5. Events over 100 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.
6. Pyrotechnics including sparklers are not allowed.
7. Trash pick-up by a commercial provider will occur only between the hours 8:30AM and 5:00PM Monday through Friday.
8. The applicant will provide the name of the contact person, email, and phone number on their website for citizen concerns and complaints to be addressed. The County may request a list of complaints and how they have been addressed by the applicant at any time.
9. 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.
10. 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), and the Virginia Department of Health (VDH).
11. The applicant will submit an administrative site plan for approval that involves review by VDOT prior to the first event. 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. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
13. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.
14. The cottages are to be grouped together in one area of the parcel. Subdivision of the property will not be permitted while the cottages exist on the property. Any future short term rental regulations adopted by the County will apply.
15. This Conditional Use Permit will revoke CUP03-2011.

Mr. Han and his interpreter appeared before the Board to provide a brief overview of the project and thanked the Board for their time.

Mr. Adams opened the public hearing.

Ms. Diana Burruss, Patrick Henry District, spoke in opposition to Conditional Use Permit (CUP2022-20).

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

Mr. Barnes motioned to approve the application with amendments to condition number 14, and to allow no more than six cottages on site and can only be used by individuals who are associated with a booked event on the property. Mr. Purcell seconded.

After discussions with the applicant, the Board took recess at 8:37 p.m. and reconvened at 8:53 p.m.

It was noted that the applicant decided to remove the cottages from the request entirely.

Mr. Williams asked why the applicant chose to remove the cottages.

Mr. Han's interpreter stated that for financial reasons, the cottages will be removed from the request. He stated that Mr. Han does not feel comfortable with constructed the cottages if they will be limited to six and can only be used by individuals who are associated with a booked event on the property.

Mr. Barnes withdrew his motion. Mr. Purcell withdrew his second.

Mr. Barnes motioned to approve the application with amendments and to adopt conditions 1-13, as written, strike number 14 and move condition number 15 to 14. Mr. Purcell seconded.

On the motion of Mr. Barnes, seconded by Mr. Purcell, which carried by a vote of 6-1, with Mr. Adams voting against, the Board approved Conditional Use Permit (CUP2022-02) Evergreen Farm at Rocky Creek, LLC request for a conditional use permit (CUP2022-02) with the following amended conditions, as well as a special exception from Section 86-647 - Design standards for off-street parking facilities, to allow grass parking.

1. 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 and any subsequent Louisa County code regarding noise. Event organizers shall make every effort to minimize the impact of noise on neighboring properties.
2. Existing vegetation shall remain and be properly managed to create a visual screening buffer for adjacent property owners.
3. Hours of event operations will be from 8AM to 10 PM, not including set-up and clean-up.
4. No more than 300 persons per event.
5. Events over 100 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.
6. Pyrotechnics including sparklers are not allowed.
 7. Trash pick-up by a commercial provider will occur only between the hours 8:30AM and 5:00PM Monday through Friday.
 8. The applicant will provide the name of the contact person, email, and phone number on their website for citizen concerns and complaints to be addressed. The County may request a list of complaints and how they have been addressed by the applicant at any time.
 9. 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.
 10. 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), and the Virginia Department of Health (VDH).
 11. The applicant will submit an administrative site plan for approval that involves review by VDOT prior to the first event. 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. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
 13. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.
 14. This Conditional Use Permit will revoke CUP03-2011.

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 June 6, 2022, regular meeting at 8:57 p.m.

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