



**Board of Supervisors
County of Louisa
Tuesday, July 5, 2022
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the July 5, 2022 regular meeting of the Louisa County Board of Supervisors to order at 5:00 p.m. Mr. Purcell participated remotely via zoom, respectfully.

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	Remote	6:00 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; Helen Phillips, County Attorney; 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, Fire & EMS Chief; 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) (1) VA Code Ann., for discussion regarding procedures for recruitment of a new fire chief; and
2. In accordance with §2.2-3711 (A) (3) VA Code Ann., for a discussion of the disposition of publicly held real estate in the Louisa District where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and
3. In accordance with §2.2-3711 (A) (1) VA Code Ann., for a discussion pursuant to Va. Code Section 2.2-3711(A) (5) to discuss prospective businesses in the Mineral District and the Mountain Road District where no previous announcement has been made of the business' interest in locating in the County; and,
4. In accordance with §2.2-3711 (A) (29) VA Code Ann., for a discussion of public contracts involving property in the Mountain Road District and the Mineral District where discussion in an open session would adversely affect the negotiating position or bargaining strategy of the County.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Gentry, 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.	Mover	Yes/Aye
Willie L. Gentry Jr.	Seconder	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. Gentry, 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 5th day of July, 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 5th day of July, 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. Barnes 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 July 5, 2022 agenda, as amended, with the following changes:

- Pulled Item 10 - Safety Study on Route 623 (Chopping Road) and Item 11 - Agreement Extending CUP2020-004 Building Permit Deadline from August 3, 2025 to August 3, 2030 from Consent to Action; and
- Added Resolution Requesting a Safety Speed Study on Route 600 (Campbell Road) in the Green Springs District to Action; and
- Added Resolution to utilize a 90% Ratio Against Assessed Value for 2022 Personal Property Tax to Action.

MINUTES APPROVAL**Board of Supervisors (BOS) - Regular Meeting - Jun 21, 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 June 21, 2022 meeting.

BILLS APPROVAL**Resolution – To Approve the Bills for the Second Half of June 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 June 2022.

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 July 5, 2022, as follows:

- Resolution – Recognizing W.A. Dickinson and the History of Dickinson's Store
- Resolution – Authorizing a Pass through Appropriation to the Human Services Department for Additional Federal/State Funds for FY 2022
- Resolution – To Approve and Award Contract for Operational Medical Director
- Resolution – Authorizing the Fiscal Year 2023 Payment to Lake Anna Advisory Committee for Pass through to Lake Anna Civic Association
- Resolution – Authorizing a Pass through Appropriation for Sheriff Coverage for Special Event Proceeds
- Resolution – Authorizing a Pass through Appropriation for Vending Machine Commissions
- Resolution – Authorizing a Pass through Appropriation for Insurance Proceeds
- Resolution – Authorizing a Pass through Appropriation to Louisa Fire and EMS for a Donation Received
- Resolution – Authorizing a Pass through Appropriation for K-9 Donations
- Resolution – Authorizing a Budget Transfer for the Sheriff's Office and Industrial Drive Building Renovation Capital Projects

RECOGNITIONS**Presentation – Recognizing Brandon Smith on His Accomplishments**

Mr. Matthias Smith read the resolution and Mr. Barnes presented a framed copy to Brandon Smith recognizing him on his accomplishments.

PUBLIC COMMENT PERIOD

Mr. Adams opened the public comment period.

Mr. Adams said the County received several comments regarding the development Timber Oaks Development in the Town of Louisa and asked for the Deputy Clerk to forward the comments to the Town of Louisa for review. He said the comments will also be included in the record. (See Appendix A)

Ms. Shalena Rogers, Mineral District, addressed her concerns with through truck traffic on Route 623 (Chopping Road).

Ms. Chuck Miller, Patrick Henry District, urged the Board to reinstate the County's status in the FEMA flood program.

Mr. Grant Routzohn, Patrick Henry District, addressed his concerns with the ongoing flooding issues in the Town of Louisa due to residential development.

Ms. Chris Hartman, Louisa District, addressed her concerns with the ongoing flooding issues in the Town of Louisa and urged the Board to consider ways to mitigate the issues before it becomes a County wide problem and additional damage is done to County, Town, and personal property.

Ms. Nancy Woolfolk, Mineral District, addressed her concerns with flooding from Beaver Creek that occurs on their property. She indicated these issues come from a lack of water control from the Town of Louisa with each new development. She said she is not against new development, but against development without proper water control facilities. She presented the Board with pictures of her property damaged by the flooding and asked they be kept on file. (See Appendix B)

Ms. Vicky Harte, Louisa District, addressed her concerns with the ongoing flooding issues in the Town of Louisa from Beaver Creek. She provided the Board with a picture of her property flooded. (See Appendix C)

Mr. Michael Harris, Louisa District, addressed his concerns with the ongoing flooding issues in the Town of Louisa from Beaver Creek. He urged the Board to create a regional solution, initiate discussions on the matter, and reinstate the County's status in the FEMA flood program.

Mr. Shane Horn, Mineral District, addressed his concerns with the development of a sports complex in the County and how the County has not really identified the type of sports complex they are looking to develop. He said he supports the idea of upgrading the existing parks throughout the County.

Mr. Robert Spedden, Jr., Mineral District, addressed his concerns with the proposed name change of the Jefferson-Madison Regional Library.

Mr. David Rogers, Mineral District, addressed his concerns with through truck traffic on Route 623 (Chopping Road) and thanked County staff on consistently working with the Through Truck Traffic Working Group on finding alternative routes to mitigate the traffic impacts on Chopping Road).

Kevin McIntire, Patrick Henry District, addressed his support of the proposed sports complex, or the improvement of the existing sports fields throughout the County.

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

INFORMATION/DISCUSSION ITEMS

Presentation – 2023 Hazard Mitigation Plan Update

Mr. Ian Baxter, Planner II for the Thomas Jefferson Planning District Commission, appeared before the Board to provide a brief update on the regional Natural Hazard Mitigation Plan (HMP) for 2023. The HMP identifies goals, objectives, and specific actions to help communities prepare for natural disasters before they occur, in order to reduce loss of life and property damage. The Thomas Jefferson Planning District Commission works with officials from the Federal Emergency Management Agency (FEMA), the Virginia Department of Emergency Management (VDEM), and local emergency managers to develop and maintain a regional Natural Hazard Mitigation Plan. The plans are updated every 5-years and provide details on how communities can take action to prepare for natural disasters before they strike. The hazard mitigation efforts are supported by the Hazard Mitigation Working Group, which consists of representatives from each locality in the planning district and other state and community stakeholders. Mr. Baxter noted there are six sections of the plan that are required to be updated, and those areas include the planning process, community profile, hazard identification and analysis, vulnerability assessment, capabilities assessment, and mitigation strategy.

Questions and comments were addressed regarding the ongoing flooding issues in Louisa County and how that can be identified within the plan, which were answered by Mr. Baxter.

Mr. Williams asked what the plan does for Louisa County.

Mr. Baxter replied the plan provides access to federal funding after a natural disaster occurs.

Mr. Williams said he is more interested in having a document, or plan, that can better assist the County in planning for a natural disaster.

Mr. Baxter said he would be more than happy to have conversations with state and federal agencies to see what that plan would look like for Louisa County.

Mr. Adams stated the National Climate Center reported from 2010 through 2021 only three localities (Albemarle, Nelson, and Greene) reported property damage due to flooding, but noted how several individuals appeared before the Board this evening to report property damage due to flooding over the years. He said the data is obviously incomplete and asked where the National Climate Center collects their data.

Mr. Baxter said he does not know, but the TJDPC relies primarily on federal data sources to update the HMP.

Mr. Gentry asked how much the plan costs.

Mr. Baxter replied \$50,000.

Mr. Gentry said if the federal government does not plan to give the county money to be proactive in preparing for a natural disaster, then he does not see much use in the plan other than history reporting.

Ms. Jones asked if the plan is applicable after an event.

Mr. Baxter said the locality must pass an ordinance adopting the HMP for the locality to receive federal funding after a natural disaster has occurred.

Ms. Jones said if the county could still receive funding if they choose not to adopt the plan.

Mr. Baxter stated the locality would not receive federal funding.

Mr. Williams said he would like for County Administration to create a work group composed of the following people to focus on and discuss the ongoing flooding issues in Louisa County, specifically the Beaver Creek area and transfer that information to the HMP:

- Director of Community Development (J. Gillespie)/Planning Associate (T. Egeland)
- Ian Baxter, Thomas Jefferson Planning District Commission
- A member of the Louisa County Board of Supervisors
- A member of the Louisa Town Council
- A member that has flooding on their property
- A citizen who resides in the Town of Louisa that has flooding on their property
- A citizen, outside of the Town of Louisa limits, that has flooding on their property

Mr. Purcell said he would be happy to serve since he represents the Town of Louisa.

Mr. Barlow said would also like to serve since he is the Board liaison to the Thomas Jefferson Planning District Commission.

Mr. Baxter agreed to participate in the work group.

Mr. Williams said the goal of the work group is to work with the Thomas Jefferson Planning District Commission to proactively find mitigation solutions for the Beaver Creek stormwater/flooding area.

The Board asked if they could incorporate the plan in the County's Comprehensive Plan.

Mr. Gillespie said the plan can certainly go in the Louisa County Comprehensive Plan as an appendix, but each plan occurs on different update cycles.

Discussion – Virginia American Revolution 250 Commission

The Virginia American Revolution 250 Commission (VA250) was created by the General Assembly for the purpose of planning for and commemorating the 250th anniversary of Virginia's participation in the American independence, the duration of which will be 2022 through 2026. The Commission is composed of legislative leaders, tourism, and economic development officials, historians, and experts across a wide spectrum. The Commission requests that each locality form a Local VA250 Committee to join in the planning for the largest-scale commemoration. The Commission is asking that each locality designate a liaison to work with the Commission, who will serve as the local contact with the state commission, participate in planning events, and communicate regularly on events occurring within the locality. While the Commission is planning statewide programs and events, including traveling exhibitions, strong involvement at the local level is crucial. For those localities that form official Local VA250 Committees, as evidenced by the passing of a resolution of support, the designation of a local

contact, and the formation of a Local VA250 Committee, the state commission will provide grant funding opportunities for commemorative events and make available programs to include traveling exhibitions and teacher resources. Localities may be able to access American Rescue Plan Act (ARPA) funds for commemoration projects, as such funding supports industries that experienced negative economic impacts during the pandemic such as tourism, travel, and hospitality. To every extent possible, the local committee should include representatives from tourism, education, economic development, museums and historic sites, local historical and cultural groups, universities and colleges, Tribal representatives, and the governing body, among others.

Mr. Gentry said roughly four months ago the Parks, Recreation, & Tourism Advisory Committee appointed a group of individuals, including himself, to look at ways to integrate revolutionary activities in Louisa County for tourism purposes. He provided the example of the Jack Jouet Ride and said the VA250 falls in line with what they are trying to achieve.

Mr. Adams asked if Mr. Gentry would be willing to designated as the Louisa County Board liaison to the Local VA250 Committee.

Mr. Gentry said yes.

Discussion – Jefferson-Madison Regional Library Name Change

Ms. Wendy Craig, Jefferson-Madison Regional Library Board of Trustee for Louisa County, provided an update to the Board on current happenings and upcoming events and programs that will be offered through the Louisa County Library. She said there has been a lot of discussions regarding the request for the name of the Jefferson-Madison Regional Library be changed. She said the Library Board of Director's met last week, but there was no vote taken. She stated the library board heard from both sides of the argument and members of the library board will revisit the issue next month. She said the library board was made aware during the meeting that they do not have the authority to change the name of the regional library system. She said the change must be amended through the regional agreement, which gets reviewed and renewed every five years. She said it would be up to the regional jurisdictions of Albemarle, Charlottesville, Greene, Louisa, and Nelson counties to make the change or the name remain the same.

Mr. Adams asked what future discussions there would be since the Library Board of Trustees does not have the authority to change the name.

Ms. Craig said the library board does not have the authority to change the name, but they could possibly make a recommendation. She said the main point for holding the discussions would be, so individuals can express their opinions on the issue and the library board can have the chance to listen to the ideas of their patrons. She said the library board would like to remain open minded and have a plan that would mitigate some of the division that's going on.

Mr. Adams asked if the Library Board of Trustees will play a role in the negotiations of the regional agreement.

Ms. Craig said no. She said the agreement continues in perpetuity, unless there is an amendment or change that needs to be made to the agreement.

Mr. Adams said the Louisa County Board of Supervisors voted unanimously against the

proposed name change. He asked Ms. Craig how she would vote if the Library Board of Trustees was asked to make a recommendation on the proposed name change.

Ms. Craig said she represents Louisa County, so it is her role to make sure she signifies the direction of the County. She said she has already made the library board aware of Louisa County's stance on the issue.

Mr. Adams disagreed with Ms. Craig on her previous statement and expressed his concerns with how the information was first conveyed to the community. He said the library board would like to remain open minded which implies that anyone who is opposed to the name change is close minded.

Ms. Craig said she apologizes if that was the impression given.

Mr. Adams said he has reviewed the library board meeting footage and he heard a few people from Charlottesville say they are being pinned into a corner. He said that is not the case. He said the people that fund the library are pushing back when others are trying to make changes that do not goes towards the will of the people that pay the funding.

Ms. Adams asked Ms. Craig how she would vote if the Library Board of Trustees was asked to make a recommendation on the proposed name change.

Mr. Barnes said he respects Mr. Adams questions; however, if the opportunity presents itself and the library board was asked to make a recommendation, he knows that Ms. Craig will represent Louisa County accordingly. He said Ms. Craig can have her own opinion, just like anyone else, but at the end of the day, he feels strongly that Ms. Craig will support the Board appropriately.

Mr. Adam asked if she would vote in opposition.

Ms. Craig said if she was directed by the Board to vote in opposition, then yes.

Mr. Adams said the Board has expressed their opposition and Ms. Craig has been directed to vote in opposition.

Several members of the Board thanked Ms. Craig for her service on the Library Board of Trustees.

Ms. Craig said it is her goal and the library's goal to remain an inclusive, diverse, and free community resource. She said she does not want to see the library get distracted or handicapped by these types of discussions. She said it is an important discussion for communities and individuals to have and it needs to happen. She stated the library board believes they can come up with a plan that will allow everyone to at least have a voice or input.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Requesting a Safety Study Route 600 (Campbell Road) in the Green Springs District

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to requests that the Virginia Department of Transportation conduct a traffic safety study on Route 600 (Campbell Road) between 4660 Campbell Road and 3663 Campbell Road, as there appears to be speeds in excess of the current road conditions.

Resolution – Requesting a Safety Study Along Route 623 (Chopping Road) in the Mineral District

On the motion of Mr. Williams, seconded by Mr. Barlow, which carried by a vote of 7-0, the Board voted to request that the Virginia Department of Transportation conduct a traffic safety study along Route 623 (Chopping Road), wherever VDOT deems necessary, as there appears to be safety concerns for current road conditions.

Resolution – In Agreement of Extending CUP2020-004 Building Permit Deadline from August 3, 2025 to August 3, 2030

CUP2020-004, Aura Power Developments (USA), LLC, was approved on August 3, 2020. Paragraph #15 of the CUP resolution required Auroa Power Developments to obtain building permits within 5 years from the Conditional Use Permit approval date. PJM, which controls the electrical grid for the State of Virginia, is experiencing significant delays, extending multiple years, and it is affecting all solar projects in the Commonwealth. The PJM delays are beyond the control of the applicant. Pursuant to the terms of Paragraph #15, the Applicant and Owner are requesting approval of the County for an extension.

On the motion of Mr. Barnes, seconded by Mr. Barlow, which carried by a vote of 6-0-1, with Mr. Purcell abstaining, the Board voted to extend CUP2020-004 Building Permit Deadline from August 3, 2025 to August 3, 2030.

Resolution – To Utilize a 90% Ratio Against Assessed Value for 2022 Personal Property Tax

Due to the shortage of new vehicles because of the economic impacts of COVID-19, vehicles have appreciated in value, rather than depreciating from the prior year's assessed value based on the data received from JD Power value. The personal property tax revenue was adopted with an estimated increase of 15-25% totaling \$12.86 million in revenue. The new JD Power values indicated an increase of over 35% which would result in an adopted budget overage of \$1.13 million in personal property tax revenue. The Board of Supervisors and Commissioner of Revenue explored possible options to lower the tax burden for Louisa residents. Reducing the ratio of the assessed value by 10% for personal vehicles would eliminate the \$1.13 million overage in personal property taxes for Fiscal Year 2023.

Section 58.1-3503(A)(3) and Section 58.1-3503(B) of the Code of Virginia allows the Commissioner of Revenue in concurrence of the local governing body to set the assessment ratios.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the 2022 Personal Property tax assessment will utilize a 90% ratio

against the assessed value according to the new JD Power pricing guide to allow for temporary tax relief due to the appreciation of vehicles as a result of the economic impact of COVID-19. The personal property tax assessment ratio will return to 100% on January 1, 2023.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

(None)

Board Appointments

(None)

County Administrator's Report

Mr. Coon 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

Ordinance – Mt. Road Agricultural and Forestal District Renewal and Amendments to Section 86-501

The Mountain Road Agricultural and Forestal District was created by the Louisa County Board of Supervisors on August 3, 1992, for a ten-year period and was renewed in 2002, and 2012 for additional ten-year periods. The Louisa County Community Development Department has contacted the current property owners of parcels identified in the above referenced agricultural and forestal district and advised them that the approved district will expire on August 3, 2022. There are thirteen (13) parcels that currently encompass the Mountain Road Agricultural and Forestal District.

During review of this renewal for the Mountain Road Agricultural and Forest District, staff identified several changes to the ordinance that should be updated during the review and public hearing process. Tax map parcels 81-1 and 81-15 were subject to a court ordered division of the two parcels in 2012, creating new tax parcels 81-1A, 15A, 15B and 15C. In addition, tax map parcels 89-18 and 18B were combined into one tax parcel in 2021: thereby removing parcel ~~48B~~ as part of this renewal. Parcel 89-18 was then divided under the family subdivision provisions in 2022, creating parcel 18C.

The Agricultural, Forestal and Rural Preservation Committee met on April 27, 2022 to review the renewal of the Mountain Road Agricultural and Forestal District with the recommended changes and voted to forward a recommendation of approval to the Planning Commission and the Board of Supervisors to renew the district for an additional ten (10) year period, until August 3, 2032: with the removal of tax map parcels 81-1A (33 acres only), 89-3, and 89-18B and the addition of tax map parcels 81-15A, 81-15B, 81-15C and 89-18C.

The Planning Commission held a public hearing on June 9, 2022, and voted to forward a recommendation that the public necessity, convenience, general welfare, or good zoning practice compels it to make the recommendation of approval to renew the Mountain Road Agricultural and Forestal District with changes recommended by the Agricultural and Forestal District and

Rural Preservation Committee, identified above, to the Board of Supervisors.

Mountain Road District	81-1, 1A (155.686 acres); 15; 15A, 15B and 15C , 89-1, 3, 6, 1818A, 18B , 18C
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Mr. Gillespie mentioned there was a late change earlier this evening and property owner of Tax Map Parcel 81-51C, in the name of Louis L. Kean, Jr. LLC, has requested to be withdrawn from the district.

Mr. Adams opened the public hearing.

Mr. Torrey Williams, Agent for Louis Kean, stated the parcel of land to be withdrawn is over 288 acres. He stated the owner, Mr. Kean, would like to do some estate planning and divide the property into two (2) 142-acre parcels. He said because the property is in an Ag/Forestal District, Mr. Kean cannot divide his property, unless he does a family subdivision. Mr. Kean wishes to maintain ownership of the property until he passes, therefore a family subdivision is not of interest. Mr. Williams indicated that Mr. Kean may wish to reenroll in the Ag/Forestal District after the property has been divided.

With no one wishing to speak, Mr. 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 renewal of the Mountain Road Agricultural and Forestal District for an additional ten-year period, until August 3, 2032, with resulting amendments to 86-501 Districts described, as follows:

Mountain Road District	81-1, 1A (155.686 acres); 15; 15A, 15B and 15C , 89-1, 3, 6, 1818A, 18B , 18C
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Ordinance – Proposed Amendments to Chapter 86. Land Development Regulations – Appendix A. Schedule of Fees

The Board of Supervisors adopted Louisa County Code Chapter 86, Appendix A - Schedule of Fees on September 1, 2007. Virginia Code §36-105 allows local governing body to charge fees to defray the cost of enforcement of the Uniform Statewide Building Code. March 2019 was the last time amendments have been made to Chapter 86, Appendix A - Schedule of Fees of the Louisa County Code, with the last complete review and fee update in 2010. With increased growth in the County there are substantial increases in financial costs to review plans, applications and conduct inspections.

The proposed amendments will modify sections of Chapter 86, Appendix A - Schedule of Fees to defray the cost of Building, Planning, and Zoning services to help bring revenues and expenditures close to cost neutral and to hire an additional building inspector. The Board referred the proposed amendments to Chapter 86 of the Louisa County Code to the Planning Commission for its recommendations pursuant to Virginia Code § 15.2-2285(B) on June 6, 2022.

The Planning Commission held a public hearing on June 9, 2022, on the proposed amendments to Chapter 86 of the Land Development Regulations Appendix A - Schedule of Fees and voted to forward a recommendation of approval to the Board with one change; for the \$100 Agricultural and Forestal District fee to remain.

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

Mr. Williams said the Ag/Forestal & Rural Preservation Committee has requested the \$100 AFD application fee be waived and he would like to see the fee be removed from the schedule.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the proposed amendments to Chapter 86, Appendix A - Schedule of Fees as recommended by the Planning Commission, except removing the \$100 Agricultural and Forestal District fee, as enumerated in the attached fee table.

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 July 5, 2022, meeting at 7:47 p.m.

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

APPENDIX A

I WISH TO READ THIS AT THE JULY 5 BOARD MEETING

July 5, 2022

400 Club Road
Louisa, VA 23093

To: The Louisa County Board of Supervisors

My wife, Kathy, and I live at 400 Club Road, Louisa, VA. I am here in opposition of the rezoning on the land presently designated for the Timber Oaks Development. Our home is currently affected by flooding when flash storms and/or heavy rains hit Louisa. We are submitting this statement because we strongly believe that additional homes and businesses at this location will add to the current flooding problem which needs to be addressed BEFORE any further development is approved.

Our home is located, along with four other properties, two of which have homes already built and one scheduled to be built in the next year or so, on the part of Club Road that lies within the County of Louisa and is referred to as Club Road Extended. The paved road that many mistake for a golf cart path is the private ingress and egress easement as was granted by the county. The homeowners were given permission to upgrade the road with a larger culvert and pavement in 2005 to improve the water flow in Tanyard Branch and provide stability to the road. Keep in mind that this ingress and egress easement is the **only way in or out for these homes**. In 2005, the town hired Dewberry to do a water study for the routing of storm water to alleviate the flooding of Route 33. However, the town did not follow the recommendations of this report. Then in 2010 with the development of Countryside Phase I, the flow of water down Tanyard Branch during storms and heavy rain started to increase making ingress and egress impossible and life threatening. This threat increased even more with the development of Countryside Phase II. Not only does this flooding affect our road but many of our neighbors on Club Road and Fairway Drive are having their properties flooded to the point that they can no longer use their property and in some cases their homes could be flooded next.

In 2014 FEMA warned the County and Town that mitigating measures needed to be taken for the town/county and the homeowners to be covered by the FEMA program. By 2018 after the boards voted to not make changes, Louisa was removed from the program and homeowners no longer are eligible to add flood insurance to their homeowner's insurance through the FEMA program. In April 2019, FEMA made notice of this change in The Central Virginian tucked in the classifieds notifying the residents of the change in the program as well as rezoning of the Flood Plan making both Tanyard Branch and Beaver Creek, Flood Zone A. Again, the Boards of both the town and county did not notify anyone living in these areas and made no public record of the new Flood Zone A that was established. Instead, they acknowledged both changes during their monthly meetings as noted in the minutes. This decision means that every homeowner within this flood zone should be carrying flood insurance but since it's not available through FEMA any longer it would need to be private, which is very expensive, if you can get it at all. In addition, these homeowners will not be able to sell or refinance their homes as mortgage lenders will not finance homes located within a flood zone without flood insurance. So, in making the decision to not fix the flooding problem, the boards of both the town and the county decided that our homes/property were just collateral damage. If this is the case, does the county and/or the town plan to buy out all the homes that you put in harms way by making the decision to not fix the flooding problem? Why did you feel that none of the homeowners, who pay taxes and support this community, matter? Instead, the town can spend money to add more development but can't fix the problem that was created by approved previous developments.

APPENDIX A

Here is what happens when we get days of heavy rain or a large storm that dumps inches of rain within an hour:

- 1) We have a 7-8 foot wall of rushing water hitting our ingress and egress road and slowly washing it out. So exactly how are we to get emergency services such as fire/EMT etc. to our homes during this time? If the road washes out, how are we to get in or out of our homes?
- 2) Sewage is washing back into this water since the sewer system for the town is being flooded when this wall of water hits the homes on Fairway Drive. This sewage is affecting the well and septic systems of the homes located on Club Road Extended and the homes of the residents living on Fairway Drive.
- 3) The 7-8 foot wall of water is dangerously close to the utilities for the homes in this area.
- 4) Tanyard Branch is clogged where it joins Beaver Creek. The clog consists of branches, an old, rusted culvert and logs from trees removed and left lay by the golf course, Countryside and homes located along Tanyard Branch:
 - a. Who is responsible for keeping Tanyard Branch clean?
 - i. The Town
 - ii. The County
 - iii. The Golf Course
 - iv. The Homeowners
 - v. VDOT
 - vi. WHO????
 - b. We have been bounced around by the town, the county, the golf course, VDOT, etc. No one knows who should be responsible for what, but we need something done and before the next storm hits.
- 5) The retention ponds that were supposed to help prevent this flooding don't appear to be working. They are either the wrong size, are filled with sediment or aren't any were close to Tanyard Branch, so they aren't helping to slow the flow of the water. We reported the large amounts of dirt and sediment coming from the flooding to DEQ, who investigated the Countryside development and wrote them up for sediment control violations and required them to implement new procedures. Unfortunately, no one thought to dredge all the sediment and debris that has been flowing into Tanyard Branch for the last 10-12 years, making it even more likely that the stream would flood since half the space in the stream is now filled with sediment from the Countryside development. Who is responsible for fixing that issue? Where is the developer that got all the money for this development? Where is the oversight of the town? Certainly, this is not an issue that those of us suffering from the flooding should be fixing!

Attached are photos of the damage from the flooding described above that is occurring on Club Road Extended. As you will be able to see, this is unacceptable and needs to be addressed before we add any additional development to the area. While we are not against development for the town of Louisa, we are against adding any additional runoff water from this proposed development to Beaver Creek or Tanyard Branch until the current flooding conditions being caused by already established developments are addressed. Maybe some type of levy system along Tanyard Branch and/or Beaver Creek, might need to be considered to address the issue. In the meantime, please do not approve the rezoning for the Timber Oaks Project until there is a plan in place to fix the current flooding.

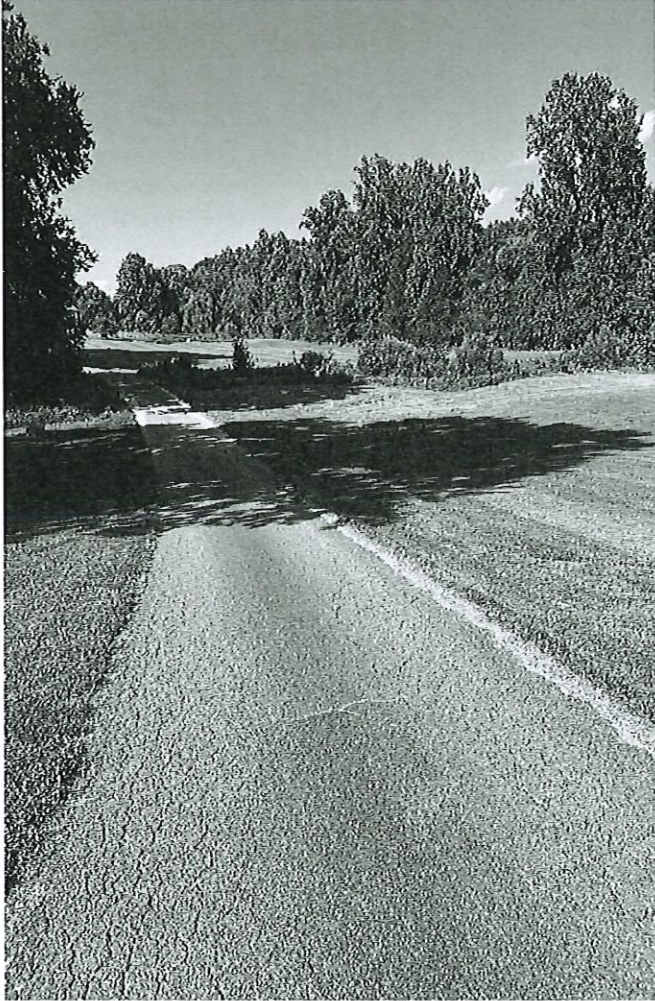
Thank you for your time.

Sincerely,

Grant and Kathy Routzohn

Attachments (See Below)

APPENDIX A



Normal Ingress/Egress Road



2020 Flood Waters

APPENDIX A



2022 Flood Waters



Utilities Close to Being Covered

APPENDIX A



Rushing Rapid Flood Waters covering Ingress/Egress

APPENDIX A

Eleni Rackley

From: bkbj4@verizon.net
Sent: Monday, July 4, 2022 10:09 PM
To: Info
Subject: Opposition to rezoning for Timber Oaks Development

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: External email

I WISH FOR THIS TO BE READ AT THE JULY 5TH BOARD MEETING.

My name is Byron Mehlhaff and I live at 303 Club Rd in Louisa. I am sending this email in opposition of rezoning the parcel across from the Sage building for the Timber Oaks Development. Although my home has not yet been affected by the high storm waters in Beaver Creek, many of my neighbors have. As more land has been developed upstream, I have noticed an increase in the water levels over the recent years and am concerned that my home, along with other Tanyard residents will be negatively impacted. My concern is for property damage and potential decrease in property value, as well as personal safety and environmental impact.

I am submitting this statement because I strongly believe that additional homes and businesses at the location adjacent to Beaver Creek will add to the flooding problem that already exists. Another concern is with the Town's sewage treatment plant, which is located near where Beaver Creek & Tanyard Branch meet, and how continued/increased flooding could impact its operation.

These issues need to be addressed BEFORE any further development occurs.

Thank you,
Byron Mehlhaff

APPENDIX A

I WISH TO READ/WISH FOR THIS TO BE READ AT THE JULY 5 BOARD MEETING

My name is Chris Hartman, and my family and I live at 305 Club Road in the Tanyard development, where we purchased our home 5 years ago. In these 5 years we have watched the flooding of Hole 6 increase with frequency and severity, not understanding the past, cause, or future. When we have the flash flooding we don't need days of rain, just the severe storm. Then very quickly hole 6 becomes a literal river and it stays that way for hours after the rain stops. See attached video.

While I am not opposed to development, I am opposed to development without proper infrastructure in place protect the current property owners as well as future ones. At this current time, I must ask that the Town and County postpone approvals on rezoning ANY and all property for development until the flooding that is destroying the properties in and along the Tanyard and Beaver Creeks. My neighbors on Club Extension cannot get to or leave their homes when the flooding happens posing a life-threatening situation if there is a medical emergency – and worse, if the bridge washes away. My neighbors along Fairway have lost their lower yards and have raw sewage bubbling up and mixing with the flood waters, as well as dangerous debris from upstream flowing at high speeds destroying fences, gazebos and more.

In the short period I have been researching and gathering facts, I am certain the previous development and finger pointing between the Town Board, County Board and State has caused these problems. No one is willing to take responsibility even though there are board minutes, letters, and notes showing all have been involved and warned. FEMA warned the County and Town. Both ignored the warnings and chose to ignore and put the taxpayers at risk, and have now prevented my neighbors access to affordable flood insurance. DEQ has cited the developer of Countryside for the bad building practices, yet no one followed thru and made sure the problems were corrected. Waverly Place – Flooding of Rte 33 – Countryside - additional homes, mismanagement of our resources and tax dollars have caused damage to properties, emotional stress, and the creation of a flood zone that did not exist prior to 2020.

Attached are just a few of the photos of behind my property – yet to be affected, but as the water continues to rise, I know the Timbrook Development run off and loss of existing vegetation will feed more water into the already overflowing Tanyard Creek and push the water over the current “banks” of hole 6 and on to more of our properties along the way. We need the County as well as the Town and State to join together with the property owners to find a solution and stop the flooding before any more development.

Thank you.

Christina Hartman

APPENDIX A

I WISH TO READ/WISH FOR THIS TO BE READ AT THE JULY 5 BOARD MEETING

My name is Anthony and Dina Passanesi and I live at 201 Fairway Drive Tanyard Louisa. I am here in opposition of rezoning across from the Sage buildings for the Timber Oaks Development. My home currently is affected by the high waters when the flash storms hit Louisa. I am submitting this statement because I strongly believe that additional homes and businesses at this location will add to the flooding problem and that needs to be addressed BEFORE any further development continues.

We purchased our home in April of 2019 unknown that we are in a flood zone. With the continued building of Countryside Development, the flooding is becoming not only life threatening, but the damage of (my property – Tanyard Development – my neighbors) has increased to the point that portions of the land is unusable, and homes are endangered. When flash storms happen:

- River runs through our yard during these storms
- 4-5 feet of water then becomes part of my property
- Sewage spills into my yard that smells for days/weeks after
- Water threatens utilities That I have near my unusable gazebo
- Any toys of grandchildren need to be thrown out due to the sewer smell that comes up
- Will have to move fence and take down gazebo due to damage
- Any tree limbs or item that get into the creek ends up on my property and the cost is at times \$1000 – \$1500 each time

Attached are photos/videos of the damage of the waters that will become worse as the landscape is changed and more homes and run off is added to the terrain without immediate action taken first.

Until the County, Town and State work together to solve the Flood Zone A THEY created and endangers the homes and lively hood of those that own them and prevent the flooding from becoming worse and impacting even more, this rezoning and development must be on hold.

Sincerely

Anthony and Dina Passanesi

APPENDIX B

July 5, 2022

To: Louisa County Board of Supervisors

My name is Nancy Woolfolk. I reside in Louisa County at 578 Bloomington Lane Louisa, VA. I am here to register a concern/complaint about the flooding that occurs on our property because of the lack of water control put in place in the town of Louisa with each new development. The town seems to be well on the way to approving yet another development. The water control that is on the plans for this development, Timber Oaks, is grossly insufficient, or at least that is the way I see it. We are not against development, but we are against development without proper water control facilities.

With every new roof, parking lot and street that is added to the town on the south side of the railroad tracks in Louisa, we get more storm water runoff. I have given Mr. Duane Adams a packet of pictures that show some of the problems we have had since 1990 when we moved to our current location. There have been three creek crossing structures put in place across Beaver Creek during the 50 + years that our family has owned this property. The last one was put in place after the June 2018 flood at a cost of approximately \$25,000.00 +. The size of the culvert was increased by 36% and the road bed was raised 4 to 5 feet. We had hoped this would take care of our problem, but it has not. On June 16, 2022, and a few other times previous to that, water still goes over our road and washes pot holes into the road and gravel into the adjoining field. We may have graveled all the way to the Chesapeake Bay by now. Our daughter-in-law and two of our grandchildren were not able to get home because of the fast, rushing water over the road that evening.

I have copies of the two letters/statements that we have given to the town for you to read if you care to do so. We have asked that these letters and pictures be put on file in the town office so they may be referenced in any future planning. I am not sure this has been done either. The photographs and statement left in 2006 were apparently either not referenced or ignored in the development of Countryside. Flooding has been much much worse since that development.

We would appreciate any help you can give us in solving this problem. We also request that you put this information and pictures on file for reference for any future development planned for the town of Louisa and the area in the county east and west of town on Routes 33 and 22. We get rainwater drainage from the south side of the railroad tracks from Purcell Lumber to Southern States.

APPENDIX B

June 21, 2022

Members of the Town of Louisa Town Council,

I am Nancy Woolfolk. I reside at 578 Bloomington Lane Louisa, VA 23093. My residence is not in the town of Louisa but we do get a lot from the town in the way of water run-off. In the packets we have provided, we have included pictures of previous floods, pictures of the flood of June 22, 2018 and pictures of damage to our road from flooding on June 16, 2022. We have also included a copy of the letter/statement presented to the Town of Louisa Planning Commission on November 24, 2006. Had our request been acknowledged in that letter, I do not believe we would be here today.

It is with regret that I find myself standing before you once again to express my opposition to a project that the town is endorsing. This new development, Timber Oaks, that you are proposing I can see could and should be good for the town. However, I can also see that it could potentially cause a great deal of harm to the property that my family owns. You see, Beaver Creek runs through our property and all of the storm water run off from the town of Louisa on the south side of the railroad track runs into Beaver Creek.

Each time a new roof, new street or new parking lot is allowed to be built on the south side of the railroad track we get more water in Beaver Creek. Beaver Creek has flooded numerous times since my family purchased this property a little over 50 years ago. We cross Beaver Creek to get to our homes. We have been flooded in and out of our property many times over the years. Each time something new is built in Louisa on the south side of the railroad track the occasion for flooding becomes more often and it takes less rain or snow to cause flooding. The original structure that was used to cross Beaver Creek was a small bridge. That structure was taken out in a flood in November of 1987. An 8x9 foot culvert was then put in Beaver Creek after the bridge washed away. Due to an accumulation of flood damage and the flooding that occurred on June 22, 2018 we had to put in a new culvert. We then put in a 10 foot culvert and we had previously installed two 24 inch culverts to handle the flood waters on Beaver Creek. We also raised the road bed about 5 feet. While this has helped, it does not seem to be enough. Water has managed to still come out of the banks of Beaver Creek and wash over the road. This has happened at least 5 times since the new structure was installed. On the evening of June 16, 2022 flood water again caused damage to our road. Gravel was washed into the adjoining field to the east of our driveway. Our daughter-in-law and two of our grandchildren were unable to get home because water was once again over our road. We would be in a world of hurt if one of our homes were to catch on fire or there should be a medical emergency at the time one of these floods should take place.

It seems that the flooding has been worse, more often and with less rain since the development of Country Side. This is exactly why I am opposed to more development without proper water retention facilities being put in place. We all know that you nor anyone else can control the weather but you can and should control the number of water retention facilities that are put in place with each new development. The minimum is NOT ENOUGH. I do not object to development but I do object to development without proper water control. We have put in three water crossing structures in Beaver Creek. The fourth one may be on your nickle.

Nancy O. Woolfolk

APPENDIX B

Cosby L. Woolfolk
Louisa, VA 23093
Nov. 24, 2006

Town of Louisa Planning Commission
Louisa, VA

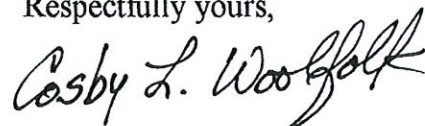
Dear Board Member:

My wife Nancy and I live outside of the town of Louisa off of Yanceyville Road at 578 Bloomington Lane. We live directly downstream, south and east of the town of Louisa on Beaver Creek. If you will reference the map that is included in your packet, you will see that all of the creeks, tributaries and land water sheds that extend from west of the town of Louisa behind Community Motors and east of the town to the Industrial Park and all of those in town south of the railroad track funnel into Beaver Creek flowing toward the South Anna River. In order for us to reach our home from Yanceyville Road, we have to cross Beaver Creek. One of our sons and his wife also has to cross Beaver Creek at this same location. Another one of our sons and his wife are currently building a house and they will also need to cross Beaver Creek at this same crossing. We operate a small business from this location and one of our neighbors uses this same crossing to get to the back of his farm. Also, in this packet, we have provided pictures to show some of the flooding of our main road that has occurred during the past five years. The most recent flood that prevented us crossing Beaver Creek occurred on September 5, 2006, the day after Labor Day. Beaver Creek came out of its banks during the week preceding Thanksgiving Day 2006.

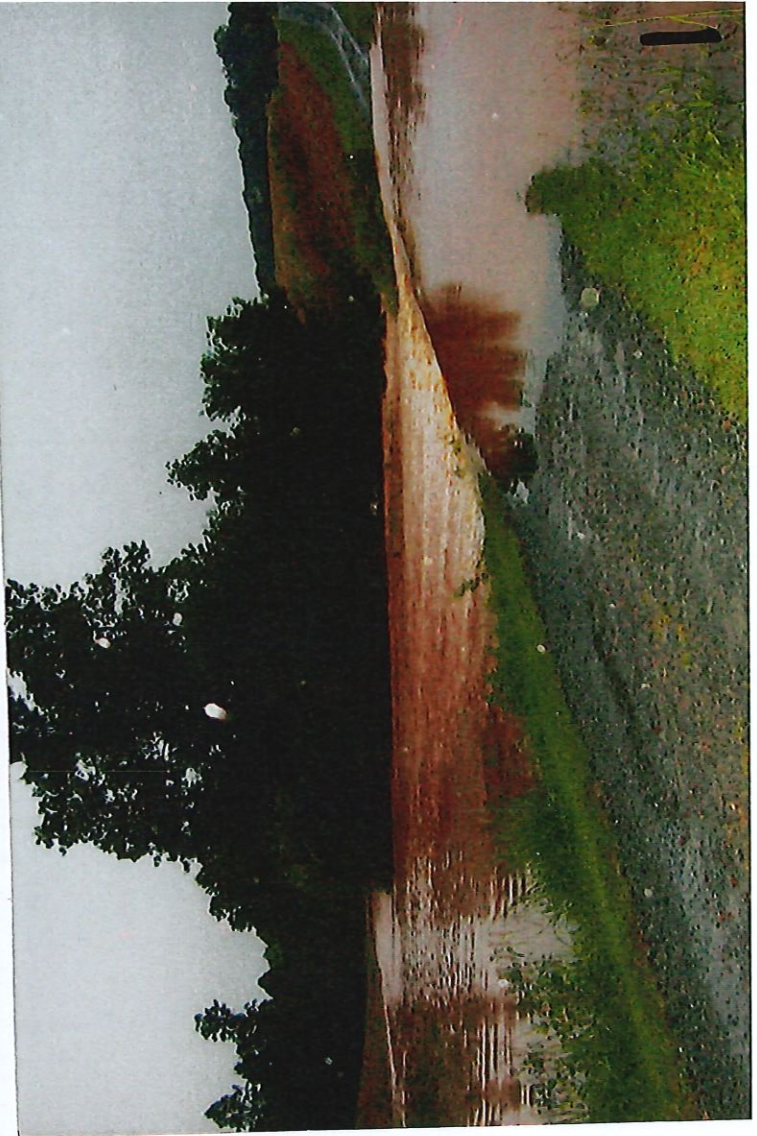
The flooding has become more frequent and violent over the years. We are asking that you keep this situation in the fore front of your mind when considering any future plans for development of any kind in the town of Louisa. We are concerned that there could be flooding every time we get one to two inches of rain. As with any development project there could be large or many buildings and even larger parking lots that will be covered with asphalt. These buildings and parking lots will remove from use the land that normally absorbs precipitation. The environmental laws now require that storm water retention ponds be constructed on large construction projects. We believe that due to the flooding that is already experienced on Beaver Creek, that **larger** and **more efficient** storm water retention ponds should be constructed with any development that might occur now and in the future.

We are asking that a copy of this letter and the photographs and maps that are included in this packet be kept on file in the town office and with the members of the planning commission. We hope this flooding situation be taken into consideration when **any** development is under consideration by the town. If you have any questions, please call 540-967-0664.

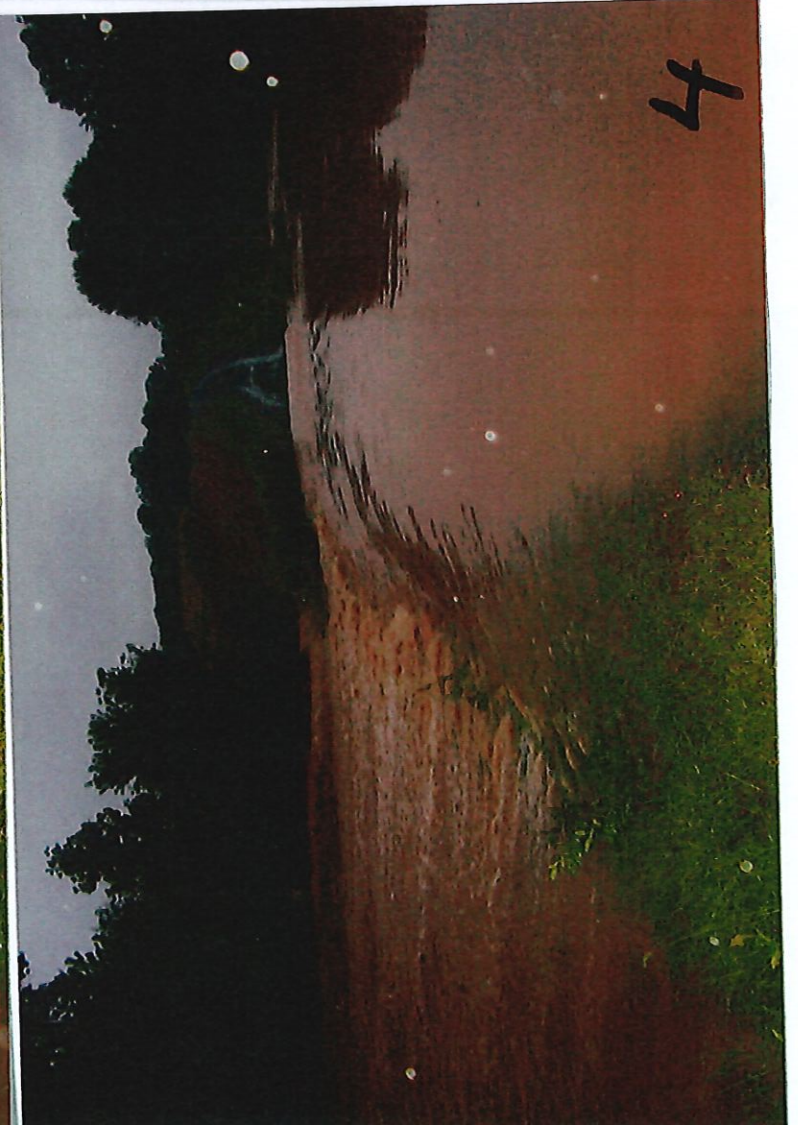
Respectfully yours,



Cosby L. Woolfolk



APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX B



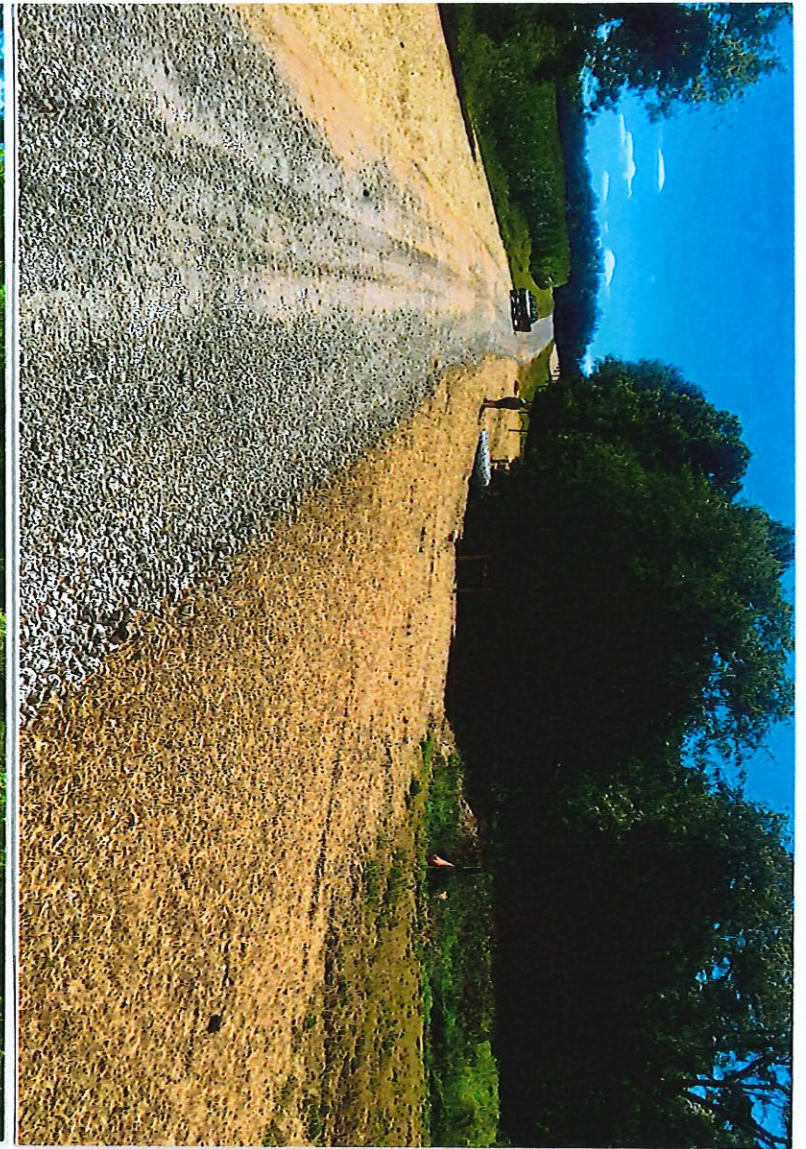
APPENDIX B



APPENDIX B



APPENDIX B



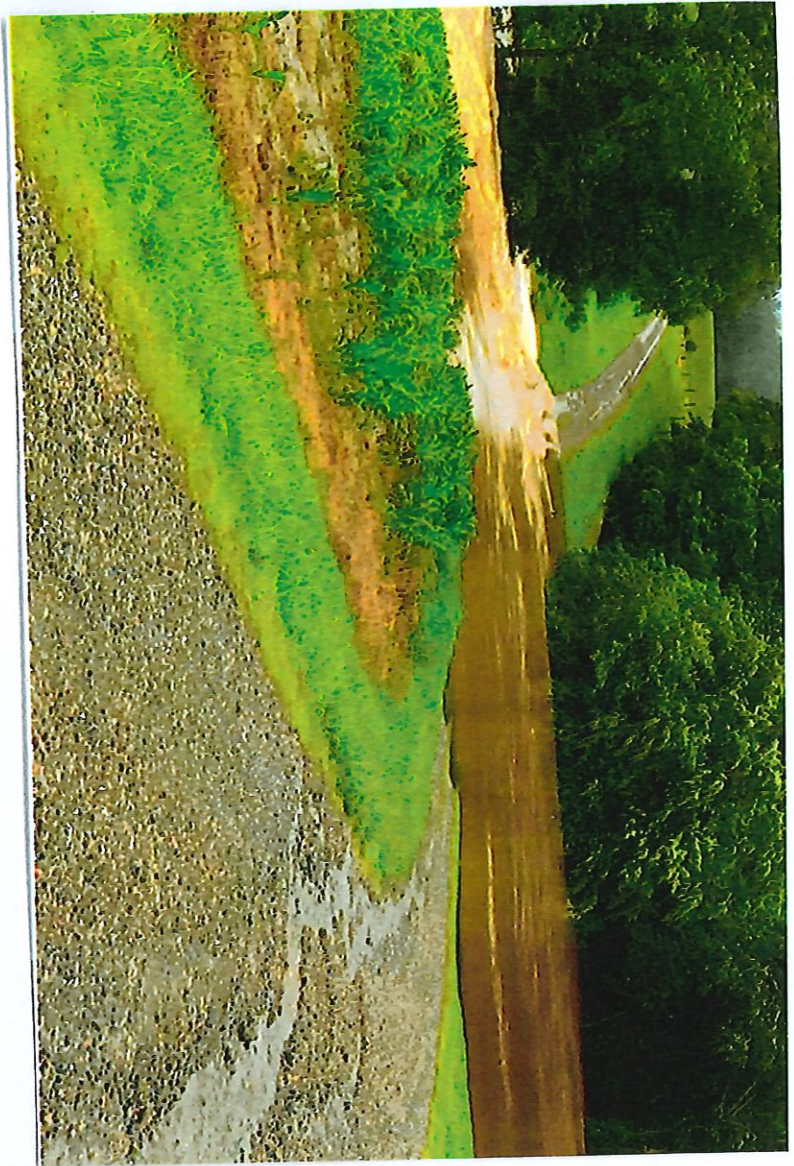
APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX B



APPENDIX C

