



**Board of Supervisors
County of Louisa
Tuesday, January 3, 2023
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M. - CHRISTIAN R. GOODWIN, CLERK

Mr. Goodwin called the January 3, 2023, meeting of the Louisa County Board of Supervisors to order at 5:00 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, Assistance County Administrator; Wanda Colvin, Deputy County Administration/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; Griff Carmichael, Director of Human Resources; Josh Gillespie, Director of Community Development; and Scott Raettig, Manager of Information Technology

ANNUAL ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Resolution – To Appoint the Chairman of the Louisa County Board of Supervisors for 2023

Christian R. Goodwin, County Administrator, opened the floor for nominations for Chairman. Mr. Purcell nominated Mr. Adams, seconded by Mr. Barnes. There being no other nominations for Chairman, Mr. Williams made a motion to close the nominations.

ROLL CALL

Mr. Willie L. Gentry, Jr.
Mr. R. T. Williams, Jr.
Ms. Rachel G. Jones
Mr. Fitzgerald A. Barnes
Mr. Tommy J. Barlow
Mr. Eric F. Purcell
Mr. Duane A. Adams

VOTE

Yes
Yes
Yes
Yes
Yes
Yes
Yes

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 7-0, to appoint Mr. Duane A. Adams as Chairman of the Louisa County Board of Supervisors for a one-year term to begin January 3, 2023, and expire on December 31, 2023.

Resolution – To Appoint the Vice Chairman of the Louisa County Board of Supervisors for 2023

Chairman Adams opened the floor for nominations for Vice Chairman.

Mr. Purcell nominated Mr. Adams, seconded by Mr. Barnes. There being no other nominations for Vice Chairman, the Board closed the nominations.

ROLL CALL**VOTE**

Mr. R. T. Williams, Jr.	Yes
Ms. Rachel G. Jones	Yes
Mr. Fitzgerald A. Barnes	Yes
Mr. Tommy J. Barlow	Yes
Mr. Eric F. Purcell	Yes
Mr. Duane A. Adams	Yes
Mr. Willie L. Gentry, Jr.	Yes

On the motion of Mr. Purcell, seconded by Mr. Barnes, which carried by a vote of 7-0, to appoint Mr. Tommy J. Barlow as Vice Chairman of the Louisa County Board of Supervisors for a one-year term to begin January 3, 2023, and expire on December 31, 2023.

Resolution – Establishing Board of Supervisors Meeting Dates and Times for 2023

Each County government is required by law to hold at least one regular meeting each month. The day and time of the regular meetings are set by the Board of Supervisors at its' organizational meeting.

Regular meetings of the Board of Supervisors shall be held in the Louisa County Office Building, 1 Woolfolk Avenue, Louisa, Virginia, on the first and third Monday of each month, except during the months of July and August when the second meeting for the month shall be optional. The Board may, however, prescribe any other meeting place or time in compliance with the Code of Virginia. Regular meetings shall begin at 5:00 pm, and public hearings will convene after all regular business has concluded. Meetings shall not extend beyond 10:00 pm, unless extended by a majority vote of the Board. A motion to extend a meeting beyond 10:00 pm shall take precedence over any motion then on the floor. Should said regular meeting day fall on any legal holiday, the meeting, as required by law, will be held on the next regular business day without further action required by the Board of Supervisors. The Board may, however, prescribe any other meeting place or time in compliance with the Code of Virginia.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to adopt the following meeting schedule and times for 2023, unless otherwise stated:

January 3 at 5:00 PM	Organizational Meeting and Regular Meeting
January 17 at 5:00 PM	Regular Meeting
February 6 at 5:00 PM	Regular Meeting
February 21 at 5:00 PM	Regular Meeting
March 6 at 5:00 PM	Regular Meeting
March 20 at 5:00 PM	Regular Meeting
April 3 at 5:00 PM	Regular Meeting
April 17 at 5:00 PM	Regular Meeting
May 1 at 5:00 PM	Regular Meeting
May 15 at 5:00 PM	Regular Meeting

June 5 at 5:00 PM	Regular Meeting
June 20 at 5:00 PM	Regular Meeting
July 3 at 5:00 PM	Regular Meeting
August 7 at 5:00 PM	Regular Meeting
September 5 at 5:00 PM	Regular Meeting
September 18 at 5:00 PM	Regular Meeting
October 2 at 5:00 PM	Regular Meeting
October 16 at 5:00 PM	Regular Meeting
November 6 at 5:00 PM	Regular Meeting
November 20 at 5:00 PM	Regular Meeting
December 4 at 5:00 PM	Regular Meeting
December 18 at 5:00 PM	Regular Meeting

Resolution – Adopting the Bylaws for the Board of Supervisors

The Board of Supervisors created their first set of Bylaws in 1998. The Board members can review and amend the Bylaws for any needed changes or updates.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to adopt the Louisa County Board of Supervisors Bylaws, as presented, with no changes.

CLOSED SESSION

On the motion of Mr. Williams, 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) (3) VA Code Ann., to discuss the consideration of disposal of publicly held real property in the Mineral District when discussion in an open meeting would adversely affect the bargaining position of the County; and
2. In accordance with §2.2-3711 (A) (5) VA Code Ann., to discuss a prospective business in the Cuckoo District and the Mineral District where no previous announcement has been made of the business's interest in locating in the County; and
3. In accordance with §2.2-3711 (A) (7) VA Code Ann., for consultation with legal counsel about litigation regarding Vallerie Holdings of Virginia, LLC; and
4. In accordance with §2.2-3711 (A) (7) and (8) VA Code Ann., to consult with legal counsel and staff about potential litigation regarding property in the Patrick Henry District; and
5. In accordance with §2.2-3711 (A) (29) VA Code Ann., for discussion of a public contract involving property in the Mountain Road District, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the County.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Purcell, 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.	Voter	Yes/Aye
Duane A. Adams	Voter	Yes/Aye
Rachel G. Jones	Voter	Yes/Aye
Eric F. Purcell	Seconder	Yes/Aye

On the motion of Mr. Williams, seconded by Mr. Purcell, 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 3rd day of January 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 3rd day of January 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.

ADMINISTRATIVE ITEMS - 6:00 P.M.

INVOCATION

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

ADOPTION OF AGENDA

On the motion of Mr. Barnes, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to adopt the January 3, 2023, agenda, as amended, with the following changes:

- Added a discussion on commercial entrances to Information/Discussion Items

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting - Dec 19, 2022 5:00 PM

On the motion of Mr. Williams, seconded by Mr. Gentry, which carried by a vote of 5-0-2, with Mr. Barnes and Mr. Purcell abstaining, the Board voted to approve the minutes of the December 19, 2022, meeting.

BILLS APPROVAL

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

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board adopted a resolution approving the bills for the second half of December 2022.

CONSENT AGENDA ITEMS

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the Consent Agenda items for January 3, 2023, as follows:

- Resolution – Authorizing a Supplemental Appropriation for Louisa Public Schools for School Construction Grant Funding
- Resolution – Recognizing Annette Hayes for Her Service and Contributions to Louisa County
- Resolution – Authorizing the Assignment of Fund Balances to the Long-Term County and School Capital Projects Reserve Funds

RECOGNITIONS

(None)

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Vicky Harte, Louisa District, stated she submitted a letter to the Chairman of the Board and staff asking for the Board to reconsider their vote back in 2016 to remove Louisa County from the FEMA flood program. She said she would like a response back in writing.

Ms. Pat Kemp, Mineral District, spoke in opposition of the proposed Lake Anna Resort development.

Mr. Ben Unruh, Owns Property in the Mineral District, spoke in opposition of the proposed Lake Anna Resort development.

Mr. Phillip Winston, Mineral District, spoke in opposition of the proposed Lake Anna Resort development.

Mr. Ryan Underwood, Mineral District, spoke in opposition of the proposed Lake Anna Resort development as presented.

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

INFORMATION/DISCUSSION ITEMS**Discussion – Commercial Entrances for Family Subdivisions**

Mr. Barlow expressed his concerns with some recent feedback received from VDOT regarding commercial entrances for family subdivisions with five lots or greater. He said he would like for Ms. Phillips to investigate how VDOT's interpretation overrules State Code Section 15.2-2244 which only requires a responsible right-of-way of not less than 10-feet.

Mr. Barlow said he would like for Ms. Phillips to meet with VDOT on this matter and report back to the Board at their next meeting.

Discussion ensued regarding commercial entrances for family subdivisions and County zoning requirements for family subdivisions.

The Board felt it was necessary to have other parties involved the discussion process. They requested the County Attorney, County Administrator, Director of Community Development, and Supervisor Barlow meet with VDOT's Louisa Residency Administrator to discuss the issues regarding commercial entrances for family subdivisions and report back at their January 17th meeting.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Authorizing the Acquisition of Real Property on Zachary Taylor Highway (TMP 16-57) Between the Virginia Department of Transportation and Louisa County Board of Supervisors

Mr. Williams expressed concerns with the easement acquisition and requested the Board postpone action until they receive further input from VDOT on the easement acquisition.

The Board agreed to table this item until the January 17th meeting.

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Board Appointments

(None)

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

Ordinance – Amending Chapter 70 Code Section 70-228 of the Louisa County Code

Pursuant to Section 6(a)(6) of the Constitution of Virginia, and Va. Code ANN. §58.1-3651, a county may be designation or classification exempt a nonprofit from real estate or personal property taxes, provided such property is used for religious, charitable, patriotic, historical, benevolent, cultural, or public playground purposes.

The Veterans of Foreign Wars (VFW) Post 8947 is a nonprofit organization with patriotic, historical, charitable, and educational purposes to preserve and strengthen comradeship among

its members and to maintain and extend the institutions of American freedom and to preserve and defend the United States from all her enemies. It has been determined that amending code section 70-228(c) to change the name from the “American Legion” to the “Veterans of Foreign Wars,” is appropriate because the VFW uses and operates the building, and to add eight additional parcels owned by the VFW to the exemption is appropriate because this property shall be used to continue the tax-exempt purposes of the VFW.

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

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the amendment of Chapter 70 by adding language to section 70-228 to change the name of the exempt entity to the Veterans of Foreign Wars and adding eight parcels to the exemption previously granted.

Ordinance – To Approve LDR2022-08, an Amendment to Section 86-637 Design Standards for Off-Street Parking

At a regular meeting of the Louisa County Board of Supervisors on September 12, 2022, the Board requested staff and the Planning Commissions to review the several requests for grass parking. Adoption of amendments to Chapter 86 require public hearings before the Planning Commission and Board of Supervisors (or both at a joint meeting).

The Louisa County Community Development Department completed a comprehensive review of the last five (5) years of permits and found four (4) separate occasions when grass parking has been requested. All requests have been related to a special occasion facility, to operate a wedding venue.

Staff prepared proposed changes to Section 86-637 following their comprehensive review. The purpose of the proposed amendments to Chapter 86. Land Development Regulations, Section 86-637 Design standards for off-street parking facilities, is to authorize the Zoning Administrator to approve, on a case-by-case basis, the use of grass parking, based on the approved use of the property, either by-right, or under an approved conditional use permit or rezoning.

The Planning Commission held a public hearing on December 8, 2022 and voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make the recommendation of approval to amend Chapter 86. Land Development Regulations, Section 86-637 Design standards for off-street parking facilities as follows:

Section 86-637 Design Standards for off-street parking facilities

(7) The zoning administrator may approve, on a case-by-case basis, the use of grass parking, when the primary use of the property is a special occasion facility. A grass parking plan must be provided, as part of any required site plan application or site plan exception.

Discussion ensued regarding the proposed amendment to allow the Zoning Administrator the authority to approve these applications on a case-by-case basis.

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

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 6-1, with Mr. Gentry voting against, the Board voted to approve the request to amend Section 86-637 of Chapter 86 Land Development Regulations for Design standards for off-street parking facilities, as follows:

Section 86-637 Design Standards for off-street parking facilities

(7) The zoning administrator may approve, on a case-by-case basis, the use of grass parking, when the primary use of the property is a special occasion facility. A grass parking plan must be provided, as part of any required site plan application or site plan exception.

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 January 3, 2023, meeting at 6:50 p.m.

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