



**Board of Supervisors
County of Louisa
Tuesday, February 18, 2025
Louisa County Public Meeting Room
5:00 PM**

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

Mr. Adams called the February 18, 2025, 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 |
| Christopher C. McCotter | Cuckoo District Supervisor | Present | 5:00 PM |
| H. Manning Woodward, III | 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; Patricia Smith, County Attorney; Chris Coon, Deputy County Administrator; Wanda Colvin, Deputy County Administration/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; and Scott Raettig, Director of Information Technology

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to enter Closed Session at 5:00 p.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A)(1), In accordance with §2.2-3711(A)(1), discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and
2. In accordance with §2.2-3711(A)(5), discussion concerning a prospective business or industry or the expansion of an existing business or industry, in the Mountain Road District, where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to return to Regular Session at 6:00 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

| Voter | Role | Vote |
|----------------------|----------|---------|
| Tommy J. Barlow | Voter | Yes/Aye |
| Fitzgerald A. Barnes | Seconder | Yes/Aye |

| | | |
|--------------------------|-------|---------|
| R.T. Williams, Jr. | Mover | Yes/Aye |
| Christopher C. McCotter | Voter | Yes/Aye |
| Duane A. Adams | Voter | Yes/Aye |
| Rachel G. Jones | Voter | Yes/Aye |
| H. Manning Woodward, III | Voter | Yes/Aye |

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Board of Supervisors has convened a Closed Meeting this 18th day of February 2025, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

NOW, THEREFORE BE IT RESOLVED on this 18th day of February 2025, 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. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the agenda, as presented, with no changes.

MINUTES APPROVAL

Board of Supervisors (BOS) - Regular Meeting – February 3, 2025

On the motion of Mr. Barnes, seconded by Mr. McCotter, which carried by a vote of 7-0, the Board voted to approve the minutes of the February 3, 2025, meeting.

BILLS APPROVAL

Resolution – To Approve the Bills for the First Half of February 2025

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board adopted a resolution approving the bills for the first half of February 2025.

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 February 18, 2025, as follows:

1. Resolution - Authorizing a Supplemental Appropriation to the Commonwealth Attorney's Office for State Asset Forfeiture Funding
2. Resolution - Authorizing a Budget Supplement for the Forest Sustainability Grant
3. Resolution - Authorizing Ronnie Roberts to Purchase his Service Handgun
4. Resolution - Proclaiming March 2 - 8, 2025 as Women in Construction Week
5. Resolution - Congratulating Kadence LaFontaine for Winning the 2025 Louisa County Spelling Bee Contest
6. Resolution - Recognizing Captain Danny Bateman for His Years of Service to the Louisa County Sheriff's Office
7. Resolution - Recognizing Major Ronnie Roberts for His Years of Service to Law Enforcement
8. Resolution - Proclaiming March 2025 as Red Cross Month

RECOGNITIONS**Recognition - Recognizing Holly Grove Volunteer Rescue Squad and Lake Anna Rescue Squad Emergency Medical Technician Class of 2024**

Mr. Goodwin read the resolution, and Mr. Barlow presented the framed resolution recognizing the EMT Class of 2024 for their dedication and service to the community. The following individuals were commended for successfully completing the training program:

Tyler Anderson, Erica Bishop, Abigail Bryant, Joseph Farrar, Rachel Farrar, Daniel Krug, Abdul Mirza, Catfish Newton, Dalton Nixon, Elijah Sanders, and Christian Summers.

Recognition - Honoring Garland Nuckols for His Years of Service and Dedication to Louisa County and as Mayor to the Town of Louisa

Mr. Goodwin read the resolution and Mr. Woodward and Ms. Jones presented the framed copy highlighting Mayor Nuckols contributions to the public safety, youth development, community enrichment and emergency services.

Several Board members praised his dedication to the town and county, emphasizing his impact on Fire and EMS services, infrastructure and community engagement.

Mayor Nuckols addressed the Board, reflecting on his years of service and his passion for the community.

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Jennifer Ford, Volunteer at Holly Grove Volunteer Rescue Squad, thanked the Board for their continued support and highlighted the importance of training and teamwork in emergency response.

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

INFORMATION/DISCUSSION ITEMS

(None)

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

(None)

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Mr. Woodward reminded the Board to appoint representatives for vacancies on the Commission on Aging.

Mr. Barnes suggested staff include vacancy announcements in the county newsletter.

Board Appointments

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

- Reappointed Mr. Konechek to the Management Oversight Group (MOG) as the At Large Representative

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 - To Adopt Amendments to Louisa County Code Chapter 14 – Animals

Ms. Patricia Smith noted the amendments aimed to strengthen enforcement of laws regarding dogs running at large and impoundment of livestock. She explained new penalties were introduced, making the first offense a Class 4 misdemeanor (\$250 fine), second offense a Class 2 misdemeanor, and third offense a Class 1 misdemeanor. She stated Animal Control Officers are given authority to impound repeat offenders and issue citations. Ms. Smith said the amendment also clarified enforcement language, making it easier for animal control officers and the courts to take action.

Mr. Williams expressed frustration over the amount of time spent on dog ordinances, questioning whether the amendments would result in real enforcement or just more bureaucracy.

Ms. Jones supported the amendment, noting that growing issues with dogs running loose in the county. She asked if the ordinance excludes hunting dogs and working farm dogs. Ms. Smith said it does exclude them.

Mr. McCotter raised concerns about repeat offenses and asked if the Animal Shelter has the capacity to hold animals that are impounded by Animal Control.

Several members of the Board noted the shelter does not have the space for additional animals, but that is being addressed in the Capital Improvement Plan.

Mr. Barnes expressed concerns with the first offense being a Class 4 Misdemeanor.

Chairman Adams noted that he intends to provide an amendment to the proposed ordinance that my clear up Mr. Barnes' concerns. He proposed an amendment to allow officers to issue a warning for the first offense, rather than a mandatory citation.

Chairman Adams opened the public hearing.

~~Ms. Amy Ware, Jackson District~~, addressed the Board about ongoing issues with stray animals, particularly livestock damaging property and causing safety hazards. She expressed appreciation for the proposed ordinance amendments but suggested stronger enforcement measures to prevent repeated violations.

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

Members of the Board supported the ordinance, but with concerns raised about whether Animal Control had enough resources to enforce the new regulations.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the ordinance with an amendment to Section e allowing officers to issue a warning for the first offense, rather than a mandatory citation, given the circumstances.

Resolution - To Approve/Deny Conditional Use Permit (CUP2024-08); Arcola Towers LLC, Applicant; Clarence N. & Evelyn J. Washington, Owners; Stuart P. Squier, Agent

Mr. Tom Egeland, Deputy Director of Community Development – Planning & Zoning, provided the staff report for Conditional Use Permit application, CUP2024-08. He stated Arcola Towers LLC, Applicant submitted a conditional use permit request for a 197-foot telecommunications tower with a two-foot lightning rod for a total height of 199 feet, and a Wireless Communication Facility >100 feet in height, in the Agricultural (A-2) zoning district.

The property is located on Charles Lane (Route 707), approximately .05 mile from Courthouse Road (Route 208), and is further identified as tax map parcel 56-15, in the Patrick Henry Election District.

At a regular meeting of the Louisa County Planning Commission held January 9, 2025, the Planning Commission voted that the public necessity, convenience, general welfare, or good

zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the request of conditional use permit CUP2024-08, for a 197-foot telecommunications tower with a two-foot lightning rod for a total height of 199 feet, in the Agricultural (A-2) zoning district with the following twenty-one (21) conditions:

1. Construction of the 197-foot-tall monopole tower with a 2 foot tall antenna or its facility shall only take place Monday through Saturday 7:00 AM to 7:00 PM.
2. All ground equipment shall be properly shielded from pedestrian view.
3. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
4. All exterior lighting at the wireless communication facility shall be designed and installed to mitigate light pollution to the surrounding areas and skies and shall comply with the specifications of the International Dark-Sky Association (www.darksky.org).
5. If the approved new tower facility at this location does not become operational within two (2) years from the approval date, then this conditional use permit shall become void. The applicant is allowed one administrative extension of one year from the Zoning Administrator.
6. The overall tower height shall not exceed 199 feet in height above ground level, which shall include any antennas and a lightning rod.
7. The facility shall be developed in accordance with an approved site plan and erosion and sediment control plan to be approved by the appropriate government agency. The applicant shall post the phone number to call 24 hours for noise complaints.
8. The applicant shall secure all necessary permits from the Louisa County Community Development Department.
9. Prior to issuance of a building permit for the facility, the applicant shall supply to the Community Development Department a copy of a FAA determination letter and completed NEPA study for the tower.
10. The FCC Licensee and affected carriers or service providers shall be responsible for immediately correcting any interference.
11. The color and lighting system for the tower facility shall be as follows:
 - a. The tower shall be gray or another neutral color, acceptable to the Director of Community Development.
 - b. The tower shall not be lit, unless lighting is required by the Federal Aviation Administration (FAA).
12. The cellular carriers shall route all emergency “911” calls directly to the Public Safety Access Point charged with taking emergency “911” calls. At the time of application, the Public Safety Access Point is the Louisa County Emergency Services.

13. The tower shall be structurally designed and built to permit the colocation of a minimum of four (4) wireless carriers' antenna arrays and related equipment.
14. The applicant or its assigns or successors in interest shall agree to remove the tower, at their own expense, from the above referenced site not more than six months from the date that the tower is no longer being used to provide space for telecommunications operations and/or providers.
15. The facility shall not be accessible to any unauthorized persons.
16. The monopole tower shall have all antenna feed lines installed inside the monopole.
17. All access ports for the tower shall be sealed in a manner that prevents access by birds or other wildlife.
18. The applicant shall provide the County with an "as built" sealed report by a Registered Virginia Professional Engineer that the tower will support the designed loading to permit the colocation of a minimum of four (4) wireless carriers' antenna arrays and related equipment and be in compliance with ANSI/EIA/TIA 222-F (as amended).
19. The applicant is responsible for notifying the Louisa County Community Development Department of the date that the primary lease tenant has become operational and is providing telecommunications services to its customers from the tower.
20. Entrance permit and/or an approval letter shall be issued by the Virginia Department of Transportation prior to issuance of any building permits.
21. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit; and

Mr. Johnathan Yates, Arcola Towers, talked briefly about the proposed 197-foot monopole cell tower and its intent to fill a coverage gap between the Louisa County Circuit Court and Butler Store areas. He noted that the FAA and Virginia SHPO have already approved the site, with no lighting required due to the height of the tower. He further noted Verizon's commitment to build on the tower immediately after approval.

Questions and comments were addressed by the Board regarding: the construction and colocation timeline; cell service coverage areas; and the tower's ability to support emergency response, which were answered by Mr. Yates.

Mr. Yates assured that this tower would be operational within one year and that it would improve cell service coverage along Route 208 (Courthouse Road).

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. Woodward, which carried by a vote of 7-0, the Board voted to approve the request for conditional use permit CUP2024-08 Arcola Towers

LLC, Applicant; Clarence N. & Evelyn J. Washington, Owners; Stuart P. Squier, Agent, with the above twenty-one (21) recommended conditions.

Ordinance – To Approve Amendments to Chapter 86 Land Development Regulations – Solar Siting Policy (ORD2024-14)

Mr. Chris Coon, Deputy County Administrator, presented the proposed amendments to Chapter 86 to the Board. He stated the proposed ordinance introduced solar siting agreements as a mechanism to manage financial and environmental impacts from large-scale solar projects. It also proposed funding allocations from siting agreements for: Housing programs (25%), Agricultural land protection (30%), Stream restoration (22.5%), and Lake Anna mitigation (22.5%). Additionally, with considering setbacks, vegetative buffers, fencing, and stormwater management, the land needed per megawatt (MW) is approximately 12-15 acres. The ordinance also set a 4-year deadline for projects to begin construction to prevent land from being tied up indefinitely.

The Louisa County Solar Committee met and provided a recommendation to the Board of Supervisors on a County Siting Agreement Policy. At the November 18, 2024, meeting, the Board of Supervisors adopted the policy effective immediately and referred the policy to the Planning Commission for codification.

At a regular meeting of the Louisa County Planning Commission held January 9, 2025, the Commission voted (5-2) to forward a recommendation of approval to the Board of Supervisors on recommended policy language #3 only. In making their recommendation, the Planning Commission stated they had insufficient information to comment on the policy language in item #'s 1, 2, and 4, as shown in the staff prepared draft amendment document.

Mr. McCotter questioned who would manage the funds collected from siting agreements and expressed concern that the county may be overreaching in financial demands on solar projects compared to other industries.

Chairman Adams stated the proposed allocations are not mandates and the Board would have full discretion to change them.

Members of the Board expressed support with siting agreements, arguing that they help offset the costs of solar development impacts. They said they would like to see responsible growth, and if solar developers don't contribute to mitigating their impact, that burden falls on taxpayers.

Discussion ensued regarding environmental concerns and lack of oversight. It was mentioned that poor stormwater management practices on existing solar farms have destroyed creeks because of runoff from these sites.

Mr. Coon acknowledged past issues with solar stormwater management but stated stricter oversight has already been implemented, noting the County is requiring more robust erosion control plans and frequent inspections.

Further discussions took place regarding impact on property values and compensation for homeowners. Several members of the Board shared complaints from residents near solar farms

who claim their property values have decreased. They also talked about the future of solar in Louisa and the role of the County.

Several members strongly opposed any Purchase of Development Rights being included in the financial framework. They suggested removing PDRs from the proposal and argued that siting agreements should focus solely on infrastructure and enforcement.

Chairman Adams supported the idea of PDRs, saying they could be a tool for preserving farmland in a rapidly developing county like Louisa. However, he noted that any use of funds would require further Board approval and agreed that more discussions were needed before making a decision.

Chairman Adams opened the public hearing.

Mr. Telly Manos, solar developer, warned the Board that imposing a time limitation creates a perverse set of incentives and will force developers to rush through critical studies, such as stormwater management and erosion control. He also criticized the financial obligations imposed on solar developers, questioning why other industries (e.g., data centers or manufacturing facilities) were not held to similar financial contributions. He concluded by carefully asking the Board to consider whether these measures will deter investment causing developers to see that Louisa County has more financial burdens than surrounding localities.

Mr. Skyler Zunk, Energy Right, highlighted Virginia's growing energy crisis, noting that the state imports more energy per capita than any other in the nation. He urged an "all-of-the-above" energy approach, advocating for fewer restrictions to encourage investment in solar and other energy projects. While supporting local control, he warned that excessive regulations—such as Louisa County's proposed siting agreement fees, which he claimed were 100 times higher than the next highest in Virginia—could discourage development and prompt state intervention. He also disputed county estimates on land use for solar projects, arguing that state regulations already mitigate environmental concerns, making additional restrictions unnecessary. Finally, he urged the Board to review a recent state law requiring a five-year special exception permit before finalizing any new policies.

Ms. Amy Ware, Jackson District, spoke about the need for a county engineer in Louisa. She noted that her husband, a civil engineer and surveyor, often points out engineering oversights in local developments, particularly drainage and erosion issues. She suggested that problems with solar farms and large developments, such as Amazon and new subdivisions, might have been prevented if the county had an in-house engineer rather than relying solely on developers' engineers. While praising county staff, she emphasized that engineering expertise is a specialized skill that could benefit future planning and oversight as Louisa continues to grow.

Mr. Kurt Christensen, Culpeper County Resident, shared his county's difficult experience with solar development, emphasizing the importance of considering long-term impacts. He explained that Culpeper approved a 1,000-acre solar project, which led to four years of litigation and a controversial 3-2 vote, with some supervisors recusing themselves under questionable circumstances. He warned that once solar farms become operational, they are classified as public utilities, meaning 95% of machinery and tools taxes are negated, reducing expected tax revenue. To address this, other counties now require industrial zoning for solar projects, ensuring they are

treated as industrial developments. He urged Louisa County to carefully consider what benefits solar projects truly provide.

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

The Board engaged in a detailed discussion about the county's role in energy production, fairness in solar siting agreements, and the broader implications of continued solar development. Several Board members expressed frustration over the increasing burden on Louisa County, while others debated specific amendments to the proposed policy.

Ms. Jones member emphasized that Louisa County is already one of the top energy-producing counties in Virginia and questioned why other counties were not stepping up to take on more of the state's energy needs.

Mr. Williams noted that Louisa is not just a leading energy producer in Virginia, but one of the top 34 energy-producing counties in the country. He pointed out that Louisa also houses dry cask storage for nuclear waste from the Lake Anna nuclear plant, something many residents don't even realize. He recalled a legislative meeting where a state senator said that counties should not "hold the state hostage" for power needs—to which he rebutted that the state should instead consider who is producing energy and at what cost to local communities.

Mr. Williams also spoke about Dominion Energy and their environmental oversight failures with Belcher Solar. He claimed that if a private developer had caused the same environmental damage as Dominion's solar project, they would have been fined heavily or even imprisoned. He noted that Dominion was fined only \$50,000 for damaging miles of a creek or small river during one of their solar projects and that the damage still had not been repaired. He stated firmly that Louisa County had "had enough" and suggested that if the proposed siting agreement policy effectively halted further solar development, he was fully in favor of it.

It was noted that solar developers are particularly interested in Louisa County because of its low-cost land compared to surrounding areas, existing transmission lines from the North Anna Power Station, and fewer zoning and permitting barriers compared to more urbanized counties. It was stated that developers are choosing Louisa not because of any special suitability, but because it's cheap and convenient—something the Board does not believe should dictate the county's policy decisions.

The Board discussed and amended several aspects of the siting agreement policy.

Mr. Barnes motioned to remove a memorandum that included specific financial allocations (e.g., 25% to different funds). Instead, the funds from siting agreements will go into a general fund balance, giving the Board discretion on how to allocate them later and to extend the project timeline to five years to ensure compliance with state regulations. Mr. Williams seconded.

It was noted that even though some elements were removed from the policy, the discussion on Purchase of Development Rights (PDRs) was valuable and should continue in the future.

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approves the proposed amendments to Chapter 86. Land Development

Regulations; Division 5. Conditional Use Permits - Solar Siting Agreements, with amendments noted above.

Resolution – Authorizing the Disposition of Real Property, Commonly Known as Shannon Hill Regional Business Park Belonging to the County of Louisa, Virginia

Mr. Andy Wade, Director of Economic Development, presented a proposal to transfer ownership of Shannon Hill Regional Business Park to the Industrial Development Authority (IDA). He explained that this action, authorized by Virginia Code 15.2-1800(B), is consistent with county practice, as the IDA currently owns and markets other publicly owned business parks (e.g., Air Park, Airport West, Cook Industrial Rail Park).

Mr. Wade highlighted recent progress in the park, noting the county's completion of utility infrastructure projects, including a water tank (95% complete), and the commencement of linear utility construction from Ferncliff to Shannon Hill. These infrastructure developments resolve previous obstacles faced in attracting businesses whose construction timelines required immediate utility availability.

He emphasized that transferring ownership to the IDA provides the county with a competitive advantage in marketing to potential businesses. Under Virginia Code 15.2-4905, the IDA can move faster than the county government in land transactions, as the IDA can sell or lease properties without additional public hearings, provided the businesses fit within the permitted uses approved by the Board in 2019. Any sales revenues generated would revert directly to the county.

Chairman Adams confirmed the transfer makes Shannon Hill more marketable, enabling quicker decisions to attract investment, aligning with the county's original intent for purchasing the property.

It was asked if the Board would retain oversight for prospective businesses. Mr. Wade explained that businesses fitting the previously approved "by-right" zoning categories would not require further Board approval but that the Board would be informed in advance of any sales.

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. McCotter, which carried by a vote of 7-0, the Board voted to authorize the disposition of real property, commonly known as Shannon Hill Regional Business Park and transfer ownership to the Industrial Development Authority (IDA).

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 February 18, 2025, meeting at 8:05 p.m.

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