

Bermuda Run Town Council
AGENDA MEETING MINUTES
Tuesday, April 27, 2021
9:00 a. m. – Town Hall
***Social Distancing Observed.**

Council Members Present: Mayor Rick Cross, Curtis Capps, Heather Coleman, and Ken Peacock

Council Members Absent: Mike Ernst, Chris Fowler

Also Present: Lee Rollins, Town Manager; Brian Williams, Town Attorney, Cindy Poe,
Town Clerk

1. Call to Order

Mayor Rick Cross called the meeting to order.

2. Adoption of the Agenda

Town Manager Lee Rollins requested to add Item 5D – Resolution 2021-01 Opposing the SB 349/ HB 401 Legislation on Planning and Zoning. Council Member Curtis Capps made a motion to adopt the agenda as amended. Council Member Ken Peacock seconded the motion. The motion was approved by a vote of three (3) in favor and none opposed.

3. Approval of the March 23, 2021 Agenda Meeting Minutes

Council Member Heather Coleman made a motion to approve the March 23, 2021 Agenda Meeting minutes. Council Member Ken Peacock seconded the motion. The motion was approved by a vote of three (3) in favor and none opposed.

4. Citizens Comments – None

5. Items for Consideration

A. Interlocal Agreement with Davie County

The proposed Interlocal Agreement with Davie County is a renewal of the current agreement, which expires June 30, 2021. There are no proposed changes to shared services. The Davie County Commissioners approved the agreement at their April 5, 2021 meeting.

Council Member Curtis Capps made a motion to approve the interlocal agreement as presented. Council Member Heather Coleman seconded the motion. The motion was approved by a vote of three (3) in favor and none opposed.

B. Approval to Install Parcel Lockers in Bermuda Run Country Club East Indoor Kiosk

As a follow-up from the information provide in the March 23, 2021 Council Agenda Meeting packet, the Town Manager seeks approval to move forward with the purchase and installation of the parcel lockers at an amount not to exceed \$20,000. The expenditure would come from \$20,000 budgeted but not spent funds for snow removal and brine spray from the General Fund.

Council Member Heather Coleman made a motion to approve expenditure for the purchase and installation of parcel lockers. Council Member Ken Peacock seconded the motion. The motion was approved by a vote of three (3) in favor and none opposed.

C. 2021-22 Town Manager's Proposed Budget

The Town Manager presented his proposed 2021-2022 budget to the Town Council on April 13, 2021. Public Hearing on the matter of the proposed budget will be held on **Tuesday, May 11, 2021 at 6:00 pm**. The proposed budget has also been placed on the Town of Bermuda Run website (www.townofbr.com) for public inspection.

D. Resolution 2021-01 Opposing the SB 349/ HB 401 Legislation on Planning and Zoning

Proposed bill is supported by the Home Builders Association and is a "one size fits all" law. These changes would not tie in with the Town's current Comprehensive Plan. Per Attorney Brian Williams, "What might work in Raleigh would not work here. This does not fit with way we should govern." Council Member Heather Coleman made a motion to adopt the resolution in opposition to SB 349/HB 401. Council Member Curtis Capps seconded the motion. The motion was approved by a vote of (3) in favor and none opposed.

6. Council Comments

Ken Peacock – Very interesting meeting; so thankful for the relationship the Town has with the County.

Curtis Capps – Glad that the Town of Bermuda Run's Comprehensive Plan lines up. Thanked Christy Schafer for her attendance.

Heather Coleman – Glad that the Council approved the resolution and will reach out to her Realtors to discuss.

Council discussed issue of live chickens. The Town has received feedback from residents both for and against the keeping of chickens. Matter at hand of resident at 912 Riverbend who has had a chicken coop for over two years. Neighbor is now wanting to sell his house and says house will not sell due to the chickens. Restrictive Covenants were assigned to Club Corp and their legal department is not going to enforce. Enforcement of private property issues is not up the Town – Civil Action would need to happen between homeowners.

7. Town Manager Comments

Discussed "no growth mentality" in Davie County and the lack of available housing, referring to recent project on Hwy. 158 near Baltimore Rd. where residents were opposed to the increased density.

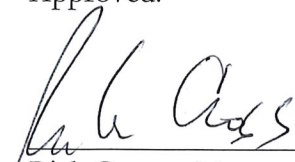
8. Mayor Comments

- Update on Solar Farm project in Davie County - Cancelled
- RISE facility now hiring – there will be NO ROAD going through Kinderton Village – only emergency access.
- Garden Club Shredding Event a success, Farmers Market now open, Vaccine Clinic Report
- Comprehensive Plan Update coming in 2022

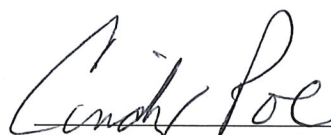
9. Adjourn

With no further business, Council Member Curtis Capps made a motion to adjourn. The motion was seconded by Council Member Heather Coleman. The motion was approved by a vote of three (3) in favor and none opposed.

Approved:


Rick Cross – Mayor

Respectfully submitted:


Cindy Poe – Town Clerk



R2021-01

RESOLUTION OPPOSING THE SB 349/HB 401 LEGISLATION ON PLANNING AND ZONING

WHEREAS, for generations the State of North Carolina has allowed municipalities to regulate local development, which in turn, residents have relied upon in making their most important financial investments, the purchase of their homes; and

WHEREAS, the Town of Bermuda Run has responsibly exercised the zoning and land use authority granted to it by the State of North Carolina; and

WHEREAS, the Bermuda Run Town Council, Bermuda Run Planning Board and its citizens embarked on a collaborative effort to set a "blueprint" for the future of Bermuda Run with the adoption of a Comprehensive Plan in 2012 and its update in 2017; and

WHEREAS, Objective 3 of the Comprehensive Plan states, *Support steady, managed growth with additional residential and retail development*; and

WHEREAS, through engagement with the citizens of Bermuda Run, the Town of Bermuda Run Land Use Plan calls for areas of intensity of development in keeping with transportation accessibility and watershed requirements of the State of North Carolina; and

WHEREAS, the Town of Bermuda Run Zoning Ordinance offers much flexibility for residential development; and

WHEREAS, SB 349/HB 401 – Increase Housing Opportunities, while well intended, would establish higher residential densities within the Town that are in direct conflict with the Town Comprehensive Plan and Land Use Plan; and

WHEREAS, SB 349/HB 401 is now pending in the North Carolina General Assembly, and would force municipalities to allow duplexes, triplexes, quadplexes, and townhomes into all residential zoning districts, including all low-density zoning districts, for the stated purposed of expanding housing opportunities in towns; and

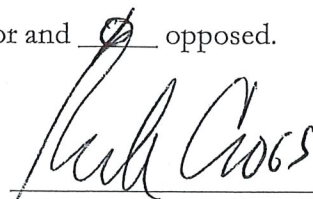
WHEREAS, SB 349/HB 401 likewise mandates the allowance of "one accessory dwelling", which can consist of a duplex, on each lot on which there is a single-family residence, circumventing all usual approval processes such as conditional district zoning, and overriding all local parking requirements and utility protocols without regard to the impacts of a potential tripling and density.

NOW, THEREFORE, BE IT RESOLVED by the Bermuda Run Town Council that the General Assembly not adopt either SB 349 or HB 401.

Approved this 27 day of April, 2021, by a vote of 3 in favor and 0 opposed.

ATTEST:


Cindy G. Poe, Town Clerk


Rick Cross, Mayor