

Town of Bermuda Run

Town Council Meeting Minutes

March 12, 2024 – 6:00 PM

The Town Council of Bermuda Run held its scheduled meeting on Tuesday, March 12, 2024 at 6:00 PM. The meeting was held at the Bermuda Run Town Hall.

Council Members Present: Mayor Mike Brannon, Rae Nelson, Christy Schafer, Melinda Szeliga, and Jeff Tedder

Council Members Absent: Mike Ernst

Also Present: Andrew Meadwell, Town Manager; Cindy Poe, Town Clerk; and Brian Williams, Town Attorney

Call to Order – Mayor Mike Brannon called the meeting to order.

Pledge of Allegiance

Moment of Silence

It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity of a reflective moment of silence

Town of Bermuda Run Code of Ethics Statement – Town Attorney Brian Williams

Adoption of the Agenda

Town Manager Andrew Meadwell advised Council that typos were in attachments 9A and 9B – “Annexation” should be changed to “10/70 Request”. Council Member Jeff Tedder made a motion to approve the agenda as presented with typos corrected. Council Member Rae Nelson seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Approval of the February 13, 2024 Council Meeting Minutes

Council Member Christy Schafer made a motion to approve the February 13, 2024 Council Meeting Minutes. Council Member Melinda Szeliga seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Citizen Comments

Lennie Ring – 125 Kilbourne Drive – Thanked Council, adding that they are “painting a photo of Bermuda Run” and urged them to weigh all facts before making “the next brush stroke”.

Erin Dinero – 147 Haywood Dr., Advance – Spoke in opposition to more 10/70 requests. Said restrictions exist for a reason and she does not want a community of asphalt.

Michelle Sousa – 160 Rosewalk Ln – Concerned that the Ariston Place developer is in talks to develop behind Lowes Foods. She is against any development on Yadkin Valley Road, and wants it all to stay on Hwy. 801.

Presentation: Joseph Ashburn, Davie County Emergency Services Director

Mr. Ashburn spoke of the different types of services provided to the 266.6 square mile area of Davie County.

1. Proposed Action Items

Prior to hearing the proposed action items, Town Manager Andrew Meadwell gave an update on the NC DEQ 10/70 performance review audit:

- Last summer the council paused all 10/70 allocation requests as there was an NCDEQ audit expected.
- NC DEQ never mandated that the town stop its program-this was a town choice.
- NC DEQ oversees Water Supply Watershed Program which includes how counties and municipalities administer their 10/70 allocation.
- NC DEQ completed the audits for the County in September and the town in October 2023.
- The town knew in November 2023 that its tracking and its method was appropriate.
- While none of us expected the audit process to take this long, the audit report has been completed and delivered to the town.
- Based on that report, the town will need to make some documentation changes.
- However, no issues with the town's allocation or tracking process.
- Also, the audit resulted in the town gaining 26 acres for 10/70 allocation, so this audit has now become a net gain to the town.

A. Call for Public Hearing 10/70 Request Davie Construction

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 0.044 acres (1.906 sq. ft.) of project area for a commercial project. The site currently has 0.217 acres (33%) of existing impervious area. The applicant is proposing 0.366 acres of total impervious area on the site. The total impervious area of the site would be 55.71% percent.

The Town Manager is recommending a Public Hearing for the request be set for April 9th, 2024

Council Member Jeff Tedder made a motion to set a Public Hearing for April 9, 2024. Council Member Christy Schafer seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

B. Call for Public Hearing 10/70 Request Hall Walker

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 59.54 acres of project area for a multi-use development project. The project area currently consists of 6.57 acres that is outside of the watershed. The applicant is proposing 24.44 acres of impervious area on the site. The total impervious area of the site would be 41.04 % percent.

The Town Manager is recommending a Public Hearing for the request be set for April 9th, 2024

Council Member Melinda Szeliga made a motion to set a Public Hearing for April 9, 2024. Council Member Rae Nelson seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

C. Call for Public Hearing Annexation Request Hall Walker

The Town has received petition(s) for a contiguous and a noncontiguous annexation of property being described as Davie County Tax Parcels C700000115, C70000011501, C700000112 and referenced as the “Hall Walker Property”. On January 9th, 2024, the Town Council adopted a Resolution directing the Town Clerk to investigate the petition. The Town Clerk has submitted a Certificate of Sufficiency of the petition.

The Town Manager is recommending a Public Hearing for the request be set for April 9th, 2024

Council Member Rae Nelson made a motion to set a Public Hearing for April 9, 2024. Council Member Jeff Tedder seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

D. Resolution of Support-Rep. Julia Howard

Resolution regarding Town Charter language amendments.

Council Member Jeff Tedder made a motion to approve the resolution as presented. Council Member Melinda Szeliga seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

E. Resolution to Amend Bermuda Run Tourism Development Authority Membership and Appointments

Council Member Rae Nelson made a motion to approve the resolution as presented. Council Member Christy Schafer seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Town Manager Report/Comments

- Work Session with the NC League of Municipalities/Council Academy/Ethics Training
- NC DOT plantings between I-40 Exit 180 and Harper Rd.
- Meetings with NC DOT’s Pat Ivey/sound barriers on I-40
- Change in Public Comment sign-up procedure – Meet with Town Clerk beginning at 5:30 on day of Council Meetings.
- Planning Session March 26 off site. Town Hall will be closed so all staff can attend.
- Monthly Account Detail Report

Mayor Comments

- Thanked Andrew Meadwell and Attorney Brian Williams for their work on the DEQ Audit, 10/70 requests which provided the town with 26 additional acres.
- Thanked Joseph Ashburn for his presentation and the EMS’s efforts to keep our county safe.
- Women’s History Month – Recognized that for the first time in the town’s history that there are 3 female Council Members.
- Smith Grove Fire Dept – 50th anniversary on May 18 / fundraiser.
- Reflective address signs available at fire departments for \$15 making it easier to find your home at night.

- Regarding Hall Walker Development – On April 9 the council will have the option to defer, approve, or deny a 10/70 request. Given the developer now owns the Hall Walker properties, it seems to me this is no longer *if* the developer builds, but *what* and *how* the developer builds. There is *no vote* by this council that stops a Walker’s Retreat development from moving forward. He asked, “What outcome from the 10/70 request produces the results being sought by residents?”
 - Approval means a hybrid of 500 townhome/apartment units which aligns to what we heard in our Comprehensive Plan feedback seeking a diversity of housing.
 - Denial means most/all apartments which is also permitted by zoning but lacks the housing diversity defined in survey feedback.

So, based on feedback seen in yard signs and social media comments, it seems the preferred choice between these two options is a combination of townhomes *and* apartments rather than potentially only apartments. The mayor added that these are his thoughts only as this is a council decision.

Council Comments

Council Member Melinda Szeliga thanked the staff for work with one-stop early voting. She also spoke of the Garden Club’s Geranium Sale (going on now) and Shredding Event on 4/13. The Bermuda Run Garden Club recently gave a donation of \$5,000 to the Bermuda Run Vision Committee for plantings along the Blue Heron Trail.

Adjourn

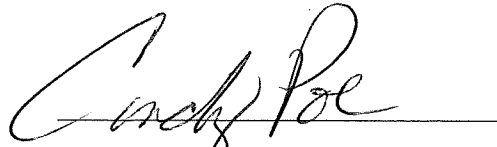
With no further business to discuss, Council Member Jeff Tedder made a motion to adjourn. Council Member Christy Schafer seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Approved



Mike Brannon, Mayor

Respectfully Submitted



Cindy Poe, Town Clerk