



Frequently Asked Questions: Wildlife Overlook

January 2021

How did the Wildlife Overlook come to be and what was it used for?

The Wildlife Overlook grew out of a partnership between Bald Head Association (BHA) and the Bald Head Island Conservancy brokered by Dr. Thad Wester, head of the first property owners' association and founder of the Conservancy, with the goal of providing a place for education about alligators, birds and other wildlife. It was used by the Conservancy as a location for its nature/birding programs and was visited each year by hundreds of students from the mainland during school field trips and thousands of property owners, renters and other visitors to Bald Head Island (BHI).

Why isn't BHA rebuilding it as it existed before?

In short, the newly rebuilt Overlook addresses long-standing safety concerns about the former structure by providing a barrier between the water and humans on the platform. The original structure was built and maintained by Joyce and Wayne Lambert over the years until it was damaged beyond repair by Hurricanes Florence and Dorian. BHA's Board of Directors contemplated permanent closure of the area, but property owners who attended the January 27, 2019, Annual Meeting and others who contacted BHA about its status unanimously endorsed rebuilding the Wildlife Overlook. To address safety concerns associated with alligators becoming accustomed to humans and to reduce the risk of human-alligator interactions, BHA consulted with North Carolina Wildlife Resources Commission and the BHI Conservancy to develop a new, safer design.

What changed with the new design?

The alligator viewing platform provides visitors with a more meaningful experience over the lagoon using a cantilevered structure that keeps the pilings on dry land while maintaining a viewing perimeter within the original footprint. The primary guard structure includes vertical and angled shielding components consisting of hot dip galvanized steel mesh and assembled into removable panels to maximize durability, protect visitors from alligators and conveniently facilitate repairs when needed. Stainless steel connection hardware will enhance the durability of the structure and reduce future maintenance costs. The finished wood deck will be treated with a slip-resistant coating as an additional safety feature.

A bird viewing area with bench seating has been included to allow visitors to meditate and/or quietly observe some of the 65 bird species that have been identified on the Island. This portion

of the Overlook also addresses BHA's concerns about individuals venturing off the path into a less-safe area while also destroying the vegetation on the south side of the Overlook. A walkway will connect the two areas.

Additional designated bicycle and cart parking areas (including paved accessible parking) have been added for safety.

It's important to remember that the Overlook is a public space and the previous platform, while lovely and quaint, would not meet today's commercial construction standards or federal accessibility requirements. Simply replacing the former structure with an exact replica and ignoring the long-standing safety concerns would not be prudent nor in the best interest of BHA's membership.

What process did BHA use to select the architect?

After discussions with state officials and the Conservancy, it was clear that the Board needed to hire an outside expert to design a structure that would provide the same outdoor setting with nature but would also include safety features that were not included in the original design. After soliciting advice from a long-time BHI property owner and architect, BHA interviewed and ultimately hired architect Gordon Hall for the project in December 2019. Hall's design was vetted and approved by the Board in March 2020.

What process did BHA use to select the contractor?

Once the design was approved, a Request for Proposals was finalized in consultation with the architect and sent to 12 builders/contractors from on and off the Island in June 2020. Six bids were received, with costs ranging from \$143,500 (with a contingency) to \$720,000. Bids were received from Wayne Lambert Custom Homes, Parker Construction Group, B&B Design and Construction, Gary F. Hewitt Builders, Trinity Design Build BHI and ProjectWorks. After spending several months to review all of the bids in depth and in consultation with its architect, the Board accept the second-lowest bid of \$296,815 from Trinity Design Build BHI. Trinity Design Build BHI is incorporated, insured and possesses an unlimited commercial license. The company's portfolio comprising the construction of 400+ commercial and residential structures built over four decades provided the confidence the Board needed to believe the Overlook would be built to its approved specifications.

What's the relationship between the architect/contractor and BHA's Board of Directors?

No member of BHA's Board of Directors previously had or currently has a financial interest in Trinity Design Build BHI. While Trinity is one of five companies that leases commercial office space in a building jointly owned by two BHA Board members in the commercial portion of the Island, no self-dealing or conflict of interest has occurred.

Why did BHA remove so many trees at the Overlook?

As with any construction project, several trees were identified for removal during the design phase of the project to allow for the platforms and walkway or to provide access for construction/piling equipment. Two additional trees located at the water's edge showed a

significant amount of exposed roots and were removed for safety reasons. Simultaneously, Duke Energy trimmed or removed several trees in the area as part of its ongoing electrical infrastructure improvement project. These trees were located on the Village of BHI's right-of-way and within the utilities easement. Abundant landscaping, including numerous native shrubs and trees, will be installed once construction is complete.

What is the cost of the project and what is the breakdown of expenses?

The estimated cost of the project is \$325,000 - \$350,000. Approximately \$65,000 of the cost is for the fabrication of the steel panels that will be a barrier between wildlife and humans and the stainless steel hardware that will reduce long-term maintenance costs. The budget breaks down as follows:

Architect	\$16,000
Contractor/construction management	\$296,815
Educational signage production	\$5,000
Landscaping	\$5,000
Village permitting	\$0
Survey work	\$1,815
Legal work	\$1,000
Contingency (5%)	\$16,281
TOTAL CONSTRUCTION COST:	\$341,911

What does that mean for BHI property owners?

BHA's Board of Directors has voted to levy a 3-year special assessment to cover the cost of rebuilding the Overlook. The assessment will be \$240 for a home and \$80 for a lot. (BHA's Covenants require that assessments be allocated on a 1:3 ratio for lots/homes.) The annual installment for the special assessment is \$80 for a home and \$27 for a lot. Any funds remaining after the project is completed will be set aside in a separate reserves fund and will only be used for future Overlook expenses.

BHA has requested a financial partnership with both the Village of BHI and the BHI Club. However, there is no resolution at this time since there is currently no tourism budget.

What will be the cost in future years?

BHA believes that the initial investment of materials such as the stainless steel hardware will reduce the long-term maintenance costs over the life of the Overlook. As with other BHA-owned property, anticipated future expenses will be included in future reserves studies and allocations adjusted as needed as part of the annual budget process. BHA carries liability insurance on all of its Common Area with a major carrier and provides in its annual budget a slight increase in insurance premiums to adjust for inflation. There will be no additional insurance-related expenses that will be unique to the Overlook.

Does the Board have the authority to approve this project and the special assessment without approval of the membership?

BHA’s governing documents provide the Board latitude in making decisions regarding the Common Area, including selling, buying, conveying and maintaining it. In this instance, Article 5.5 of the Covenants allows the Board to levy a special assessment for capital improvements, “including acquisition, construction, reconstruction, maintenance, repair or replacement thereto....” Article 5.5 authorizes the Board to establish the amount of a special assessment at \$250 or less (or 10% of the general assessment, whichever is greater) without membership approval. Any amount higher than that requires the affirmative vote of two-thirds of members present and voting in person or by proxy at a meeting of the members subject to such an assessment.

Why didn’t BHA communicate with property owners about the Overlook project?

Since January 2020 when the architect was hired, BHA has mentioned the Overlook project six times in its monthly *Island Report*. Some smaller articles provided a short description of a project milestone; others detailed the selection of the architect and the contractor. The April 2020 issue contained a full-page description of the new design along with a site plan for property owners to learn about the newly approved design. BHA offered to provide the plans to members for review several times throughout the year, and, while 2020 was certainly a year of chaos and frustration for everyone, only one property owner requested to see the plans or ask questions.

Once the project’s budget was finalized, BHA solicited a financial partnership with the Village of BHI and the BHI Club, but to no avail given there is no tourism budget. With the year ending and the 2021 budget awaiting final approval, the Board voted at its December regular meeting to levy the special assessment of \$240/home and \$80/lot to complete the construction and further voted to spread out the special assessment over three years.

Why is BHA taking care of the Overlook and no longer maintaining The Commons and Whale Head Park located in Cape Fear Station?

Though BHA owns a significant amount of Common Area throughout BHI, both The Commons and Whale Head Park are owned and managed by the Village of BHI. Concerns about the condition of either of those areas should be directed to the Village Public Works Department.

The redesigned Overlook is a one-of-a-kind structure that the Board recognized early-on should be built properly. It has required much engineering, thought and effort to deliver a safer, longer-lasting complement to the Island and will be a place for property owners, renters and other visitors a quiet place for education, meditation and viewing of some of the Island’s favorite wildlife.

BHA has dedicated a page on its website (www.baldheadassociation.com/wildlife-overlook) to provide up-to-date information about the Overlook. Contact info@baldheadassociation.com for more information.