



Village of Bald Head Island

American with Disabilities Act

Transition Plan

2024

Adopted by the Village Council on 12/13/2024

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Executive Summary

Title II of the Americans with Disabilities Act (ADA) regulates programs, activities and services provided by state and local governments. As such, the Village of Bald Head Island must comply with this section, which states: “no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity” (42 USC Sec. 12132; 28 CFR Sec. 35.130).

In accordance with Title II, the Village of Bald Head Island conducted an ADA compliance self-evaluation of its services, programs, activities, and facilities on public property and in public rights-of-way. With this information, an ADA Transition Plan has been developed to share findings of the self-evaluation and to establish strategies for improving ADA accessibility within our community.

Our self-evaluation reviewed three fundamental areas for ADA compliance: (1) communications, information, and facility signage; (2) public buildings and spaces; and (3) pedestrian facilities and public rights of way. Results of the self-evaluation are contained in Appendix A – Self Evaluation.

Improvements for each of these three areas are addressed by an Implementation Strategy (Appendix B – Implementation Strategy), which contains implementation actions. Some improvements generally require a minimal amount of planning, design, and financial investment. As such, many of these improvements have been made or are scheduled for completion prior to the end of FY 2026. Other long-term improvements are certain to require higher levels of planning, design and financial investment. Funding for the identified improvements will be appropriated through the Village’s annual operational budget and future capital improvement budgets.

ADA self-evaluation, transition planning, and implementation will be a continuous effort for the Village of Bald Head Island. The Village is committed to updating the ADA Transition Plan annually with oversight of the Village Manager and every five years with required action by the Village Council. Involvement of other community leaders and support organizations is, and will continue to be, a critical part of the ADA transition process.

Introduction

Transition Plan Need and Purpose

The American with Disabilities Act (ADA) is a civil rights law prohibiting discrimination against individuals based on disability. It was enacted on July 26, 1990, and was amended in 2008 with the ADA Amendments Act. The ADA consists of five titles outlining protections in the following areas:

- I. Employment
- II. State and local government services
- III. Public accommodations
- IV. Telecommunications
- V. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services provided by public entities. The Village of Bald Head Island must comply with this section of the Act, as it specifically applies to public service agencies. Title II of ADA states “no qualified individual with a disability shall, by reason of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity” (42 USC Sec. 12132; 28 CFR Sec. 35.130).

As required by Title II of ADA (28 CFR Part 35 Sec. 35.105 and Sec. 35.150), the Village of Bald Head Island will conduct a self-evaluation of its services, programs, activities, and facilities on public property and with public right-of-way. Further, the Village will develop a Transition Plan to detail methods to be used in working toward compliance with ADA accessibility requirements into the future.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: The Architectural Barriers Act (ABA) of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of the ADA extended this

coverage to all state and local government entities, regardless of whether they receive federal funding or not.

In accordance with Title II, the Village of Bald Head Island has conducted an ADA self-evaluation of its services, programs, activities, and facilities on public property and in public rights-of-way. With this information the Village will be able to develop the ADA Transition Plan to share the findings of the self-evaluation and to establish strategies and timelines for compliance.

Agency Requirements

Under Title II of the ADA, the Village of Bald Head Island must meet these general requirements:

- Must operate programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [28CFR Sec. 35.150].
- May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability [28 CFR Sec. 35.130(a)].
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [28 CFR Sec. 35.130(b)(7)].
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 CFR Sec. 35.130(b)(iv) and (d)].
- Must take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others [29 CFR Sec 35.160(a)].
- Must designate at least one responsible employee to coordinate ADA compliance [28 CFR Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II of the ADA to applicants, participants, beneficiaries, employees, and other interested persons [28 CFR Sec. 35.106]. The notice must include the identification of the employee serving as the ADA Coordinator and must provide this information on an ongoing basis [28 CFR Sec. 104.89a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 CFR Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Designation of Responsibility

In accordance with 28 CFR 35.107(a), the Village of Bald Head Island has designated the following to serve as ADA Title II Coordinator, to oversee the Village's policies and procedures:

Name: Judy Schofield
Title: Human Resources Director

In accordance with 28 CFR 35.150(d)(3), the Village of Bald Head Island has designated the following to serve as ADA Transition Plan Implementation Coordinator, to monitor the Village's progress and manage review and updates of this document:

Name: Chris McCall
Title: Village Manager

Contact information will be provided on the Village website and can be found in Appendix E - Contact Information.

Self-Evaluation

Overview

Under Title II of the ADA (28 CFR Sec. 35.105), public entities are required to perform a self-evaluation of their current services, policies, and practices concerning accessibility. The goal of the self-evaluation is to verify that, in managing its programs and facilities, the agency is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The ADA self-evaluation intends to review the agency's entire public program, including all facilities on public property and within public rights-of-way, to identify any obstacles or barriers to accessibility that need to be addressed. The general categories of items to be evaluated include:

- Communications, Information, and Facility Signage
- Public Buildings, Spaces, Pedestrian Facilities & Public Rights of Way – offices, parking areas, parks, other types of publicly accessible spaces, sidewalks, and curb ramps located within Village right-of-way.

Public entities are required to provide an opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to

participate in the self-evaluation process by submitting comments [28 CFR Sec. 35.105(b)].

Furthermore, a public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted;
- A description of areas examined and any problems identified; and,
- A description of any modifications made.

Process and Findings

The Village of Bald Head Island completed a self-evaluation of its services, programs, activities, and facilities on public property and within public rights-of-way concerning accessibility. Detailed inventories and findings from this review are provided in Appendix A – Self Evaluation under the headings of Communications, Information, and Facility Signage (A1), Public Buildings, Spaces, Pedestrian Facilities, and Public Rights of Way (A2).

Communications, Information, and Facility Signage

Title II of the ADA includes the following requirements regarding Communications.

General (28 CFR Sec. 35.160)

- A public entity shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.
- A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by a public entity.
- In determining what type of auxiliary aid and service is necessary, a public entity shall consider the individuals' requests with disabilities.

Information and Signage (28 CFR Sec. 35.163)

- A public entity shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information about the existence and location of accessible services, activities, and facilities.
- A public entity shall provide signage at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility.

The Village has conducted a detailed evaluation of communications, information, and facility signage concerning the ADA Title II requirements. The findings from this evaluation are provided in Appendix A1 – Communications, Information, and Facility Signage.

Improvement Schedule

The Village of Bald Head Island plans to implement improvements for the items that have been identified as potential obstacles to accessibility – refer to Appendix B – Implementation Strategy & Action Plan.

Public Buildings, Spaces, Pedestrian Facilities, and Public Rights of Way

The Village of Bald Head Island is responsible for publicly accessible buildings, parks, police stations, fire stations, and any other publicly owned* structure that is open for public access.

*The BHI marina area/ferry landing is not Village-owned

Publicly Accessible Buildings

Village Hall	106 Lighthouse Wynd
Island Package Center & Post Office	104 Lighthouse Wynd
Contractor Services	299-A Edward Teach Extension
Public Safety Building (police & fire)	273 Edward Teach Extension

Parks

Marina Park	111 Keelson Row
Creek Access	109 North Bald Head Wynd
Village Common Park	201 SE Beach Drive

The evaluation of each of the Village buildings, parks, and parking areas, based on ADA guidance, North Carolina State Building Code, and other established resources, evaluation method, plans, and findings of the evaluation are provided in Appendix A2 – Public Buildings, Spaces, Pedestrian Facilities, and Public Rights of Way.

During the self-evaluation process, the Village of Bald Head Island conducted a comprehensive inventory and evaluation of pedestrian facilities within its public rights-of-way. This included the evaluation of the sidewalk along Lighthouse Wynd.

The Village utilizes the following method for upgrading pedestrian facilities to current ADA standards:

Scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects are upgraded to current ADA accessibility standards.

Improvement Schedule

The Village of Bald Head Island plans to implement improvement for items that have been identified as potential obstacles to accessibility – please refer to – Appendix B – Implementation Strategy.

Public Outreach & Involvement

The Village of Bald Head Island recognized that public participation is an important component in the development of this transition plan. Input from the community will be solicited and used to help define priority areas for improvements within the jurisdiction of the Village of Bald Head Island.

The Americans with Disabilities (ADA) Draft Transition Plan was presented to Council on November 15, 2024. During this public meeting, staff briefed the Village Council on the results of the self-evaluation as well as conveyed the implementation actions.

The Plan was published to the Village's website at www.villagebhi.org and publicized in the Village's Voice e-newsletter. Public comments were solicited via the Village's Voice e-newsletter and comments were to be emailed to public.information@villagebhi.org with the Subject: ADA Plan Comments.

A summary of the comments received can be found in Attachment 2 of this document.

Public Notice of ADA Requirements and Grievance Procedures

Under the Americans with Disabilities Act, each agency is required to make public its responsibilities about ADA compliance. A draft of this public notice is provided in Appendix D - Public Notice of ADA Requirements and Grievance Procedure.

If users of the Village of Bald Head Island's facilities and services believe the Village has not provided a reasonable accommodation, they have the right to file a grievance. In accordance with 28 CFR Sec. 35.107(b), the Village has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints or concerns. This grievance procedure is outlined in Appendix D - Public Notice of ADA Requirements and Grievance Procedure.

Progress Monitoring and Transition Plan Management

The Transition Plan is considered a living document that will continue to be updated as conditions within the Village evolve. A review of the complete document will be conducted at least once per year to identify any need for updates with the results presented to the Village Manager. Updates to the document may be made as frequently as needed. Any substantive updates to the main body of this document will include a public comment period to continue the Village's public outreach efforts. The ADA Transition Plan will be updated and present to the Village Council every five years.

The Village of Bald Head Island recognized that ADA compliance is an ongoing responsibility, which will require monitoring to identify future accessibility issues that may be encountered. Facilities that currently meet ADA requirements could fall out of compliance due to factors such as damage, disrepair, or changes within public rights-of-way. Therefore, an annual review of the status of the on-going monitoring/inspection program will correlate with the formulation of the yearly budget. Village employees and community stakeholders are encouraged to report any accessibility concerns or deficiencies that are identified.

Appendix A – Self-Evaluation

A public entity that employs 50 or more persons is required, for at least three years following the completion of the self-evaluation, to maintain on file and make available for public inspection:

- A list of the interested persons consulted;
- A description of areas examined and any problems identified; and,
- A description of any modifications made.

Interested Persons Consulted

Village of Bald Head Island staff conducted the self-evaluation in the various areas of Communications, Information and Facility Signage, Building Facilities and Related Parking Lots/Facilities, and Pedestrian Facilities/Public Rights-of-Way. Staff included representatives from various Departments of the Village (Administration, Development Services, and Public Services) and a representative from the Bald Head Association (Property Owners Association).

Descriptions of areas examined, problems identified, and any modifications made are listed in the following sections A1 and A2.

A1. Communications, Information and Facility Signage

The Village strives to ensure that persons with vision, hearing or speech disabilities can communicate with, receive information from, and convey information to, the Village of Bald Head Island. The Village has conducted a detailed evaluation of its communications, information, and facility signage with regard to the ADA Title II requirements. The results are listed as follows.

Inventory and Findings

The Village strives to achieve inclusion from all interested parties in all activities by:

- Ensuring that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others and promotes that accommodations at any Village meeting, event, public hearing etc. are available upon request.
- Auxiliary aids and services are available with notice to afford individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, agency services, programs, or activities.

- Efforts to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities. Services such as sign language interpreters, readers, Braille, large print text, etc. are available upon request.
- Adding signage at all inaccessible entrances to each of the agency's facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities.
- Signage within buildings is to be designed to provide the most accommodation as possible without further intervention.
- Provision of telecommunications devices for the deaf (TDD) Communication System and promotes its availability on official communications.

Correspondence and Printed Documents

Adherence to principles contained within a Style Guide promotes branding consistency while also furthering ADA compliance for written correspondence and printed documents. Use of prescribed templates with minimum font sizes, appropriate colors and in a legible format meets current ADA standard. When requested, the Village will provide large print documents and other specialized communication means (such as Braille) for those with vision disabilities.

Website Accessibility

On the bottom of the Village's homepage, the Village has an Accessibility Icon that takes visitors to the Village's ADA Compliance webpage. The page explains that the Village is committed to treating all persons with dignity, respect, and fairness, and ensuring that its actions comply with local, state and federal laws. In this regard, the Village supports and complies with the requirements of the Americans with Disabilities Act (ADA) and will not discriminate against qualified individuals on the basis of disability in Village services, programs, or activities.

In July 2024, the Village added the UserWay widget to its website. There is a blue icon that appears on the upper right of the website which appears on every single webpage on the site. There are several options to choose from to provide better accessibility to the website, to include a screen reader, contrast, smart contrast, highlighted links, bigger text, text spacing, pause animations, hide images, dyslexia friendly, cursor, tool tips, page structure, line height, text align, dictionary, and saturation. UserWay also identifies accessibility issues on the website and helps remediate these issues. Most of these issues were addressed immediately. The Village needs to work on several PDFs that are on the website to make them more accessible.

Additional Evaluation

Upon completion of this initial self-evaluation, it is clear that additional efforts are needed to further explore ADA compliance in this particular area. While staff has made great progress with the current Transition Plan draft, work will continue over the next year to evaluate Communications, Information and Facility Signage.

A2. Public Buildings, Spaces, Pedestrian Facilities, and Public Rights of Way

The Village conducted a detailed accessibility evaluation of each of its public buildings and spaces, utilizing the ADA Checklist for Existing Facilities publication, which is based on the 2010 ADA Standard for Accessible Design and/or the latest North Carolina Building Code. Examples of these types of facilities include recreational areas, playgrounds, shelters, office buildings, parking areas and other types of public buildings and structures. Results of the evaluation are listed as follows.

Inventory and Findings

Each building facility was reviewed concerning accessibility. Using the ADA Checklist for Existing Facilities and the latest NC Building Code, each building facility evaluated the four priority areas that were identified in the Department of Justice ADA Title II regulations:

Priority 1 - An accessible route from site arrival points and an accessible entrance to the facility should be provided. This includes evaluation of parking lots and other parking facilities with regard to ADA requirements for provision of accessible parking spaces.

Priority 2 - Access to goods and services. This evaluates the layout of the building, which should allow for people with disabilities to obtain goods and services and to participate in activities without assistance.

Priority 3 – Access to public restrooms. If a restroom is open to the public, they should be accessible to people with disabilities.

Priority 4 – Additional access. Amenities such as drinking fountains and play areas should be accessible to people with disabilities.

Refer to Attachment 1 – Self-Evaluation Public Buildings and Spaces for more detailed information regarding specific results of the Public Buildings and Spaces inventory.

Additional Evaluation

Upon completion of this initial self-evaluation, it is clear that additional efforts are needed to further explore ADA compliance in this particular area. While staff has made great progress with the current Transition Plan, work will continue over the next year to evaluate Public Buildings and Spaces.

Appendix B – Implementation Strategy

The Village recognizes that overcoming accessibility challenges is a continuous effort. While some challenges may be addressed with minimal action and financial commitment, others require significant investment in both time and money. As such, the Village's ADA implementation strategy is broken into components. The first section is related to implementation actions that may be taken by individual Village Departments with funding allocated through the annual operating budget. Longer-term and more costly efforts are identified and managed through the Village's Capital Improvement Plan (CIP). Public requests for improvements not identified within this strategy will be evaluated and prioritized for implementation accordingly by the Village's ADA Compliance Committee.

Implementation Actions

These implementation actions will focus on training and education to include the promotion of ADA accommodations to the public, available resources, and education on the law. These actions will be an immediate and continuous effort.

Communications

- The Village will promote the availability of ADA accommodations on outward correspondence with the public.
 - Responsible departments – Administration (PIO)
- The Village will provide training to educate employees on ADA communication requirements for various types of disabilities.
 - Responsible departments – Human Resources
- The Village will provide training about ADA resources available to those requesting special accommodations for key Village staff that frequently communicate with the public.
 - Responsible departments – Human Resources
- The Village will add signage at all inaccessible entrances to each of the agency's facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities.
- The Village Public Information Officer (PIO) will develop and provide the Village's Style Guide and associated templates/materials to all Village departments. The PIO will also provide technical assistance to departments in support of the Style Guide and associated materials.
 - Responsible departments – Administration (PIO)

Public Buildings, Spaces, Pedestrian Facilities, and Public Rights of Way

Description	Completion Date Goal
<u>Village Hall</u>	
Curb cut or ramp added closer to handicap parking	Completed
Fix threshold at main/front door. Smooth cut transition. Height at door exceeds maximum height.	Not Done
Add grab rails to real wall above toilet in bathroom(s)	Not Done
Add insulation to area under bathroom sinks(s) over pipes	Not Done
<u>Marina Park</u>	
Ensure wood walkway is in good condition and remains level without boards and nails.	Fall 2026
Add bumper along edge of wood walkway where heading out over marsh and creek	Fall 2026
<u>Village Common Park</u>	
Add ramp to gazebo	Fall 2026
<u>Creek Access</u>	
Add paving or non-slip surface from parking area to dock and covered deck	Fall 2026
<u>Contractor Services</u>	N/A
In compliance	
<u>Island Parcel Center</u>	
In compliance	N/A
<u>Utilities</u>	
In compliance	N/A
<u>Public Works</u>	
Relocate storage cabinet to provide adequate turning radius (per Public Comment 1 – Attachment 2)	Fall 2026
<u>Public Safety</u>	
In compliance	N/A
<u>Public Beach Access</u>	
Beach Access #24A needs nonslip surfaces added (wood or pavement) to tie into the existing walkway that leads to the wooden access. (per Public Comment 2– Attachment 2)	Fall 2026

Interior Building Signage

- Providing appropriate interior wayfinding signage for locations that do not meet ADA regulations is a high priority for short-term implementation.
 - Project scope: Evaluate and update interior wayfinding signage for all areas that are accessible to the public.
 - Responsible departments – Administration (PIO)

FY2026 Goal

The Village strives toward implementing these goals by June 30, 2026. These items require planning, coordination, and construction with either internal staff or through contracts. Funding for these projects is through annual operating budgets or appropriation through the Capital Improvement Plan.

Appendix C – Public Outreach

The Americans with Disabilities (ADA) Draft Transition Plan was presented to Council on November 15, 2024. During this public meeting, staff briefed Village Council on the results of the self-evaluation as well as conveyed the implementation actions.

The Plan was then published to the Village's website at www.villagebhi.org (Exhibit A), noticed in the local newspaper, the State Port Pilot (Exhibit B), and distributed to islanders via the Village's Voice e-newsletter (Exhibit C). The Village notified the public that the draft Plan was available for review and that a public hearing was scheduled for December 13, 2024, at 10:00 a.m., or shortly thereafter in the Multipurpose Room in the Department of Public Safety located at 273 Edward Teach Ext., Bald Head Island, NC 28461 (Exhibit D). The public hearing is for the public to hear the results of the self-evaluation as well as an opportunity to provide feedback.

A summary of the comments can be found in Attachment 2 of this document.

Exhibit A (Plan Published to Village Website)



Village of Bald Head Island
NORTH CAROLINA

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ADA COMPLIANCE

The Village of Bald Head Island is committed to treating all persons with dignity, respect, and fairness, and ensuring that its actions comply with local, state, and federal laws. In this regard, the Village supports and complies with the requirements of the Americans with Disabilities Act (ADA) and will not discriminate against qualified individuals on the basis of disability in Village services, programs, or activities.

Public Notice of ADA Requirements & Grievance Procedure

The Village has completed a draft ADA Transition Plan and self-evaluation for 2024 (click the button below or access [HERE](#)).

ADA Transition Plan 2024 Draft

If you need assistance in participating in a Village of Bald Head Island meeting, public hearings, or event due to a disability as defined under the Americans with Disabilities Act, please contact the Village's ADA Coordinator (contact information below) at least three (3) business days prior to the scheduled meeting or event to request an accommodation. Every reasonable effort will be made to meet your request.

In accordance with 28 CFR 35.107(a), the Village of Bald Head Island has designated the following to

Weblink: <https://villagebhi.org/ada-compliance/>

Exhibit B

(Plan Noticed in the Local Paper – State Port Pilot)

Village of Bald Head Island PUBLIC NOTICE

Notice of Public Hearing ADA Transition Plan

Friday, December 13, 2024, at 10:00 a.m.

Notice is hereby given that the Village Council of the Village of Bald Head Island will conduct a public hearing on Friday, December 13, 2024, at 10:00 a.m., or shortly thereafter, in the Multipurpose Room of the Public Safety Building located at 273 Edward Teach Ext., Bald Head Island, NC. The meeting will be broadcasted live via Zoom (a link to the Zoom information can be found on the Meeting Schedule webpage here: <https://villagebhi.org/village-government/council/meeting-schedule/>).

The Village of Bald Head Island is developing an Americans with Disabilities Act Transition (ADA) Plan in order to ensure inclusion and access for people with disabilities. The purpose of the public hearing is to receive public input on the plan. A copy of the plan can be found on the Village website here: <https://villagebhi.org/ada-compliance/>. It is also available for public review Monday through Friday between the hours of 8:30 a.m. and 3:00 p.m. at Village Hall located at 106 Light-house Wynd, Bald Head Island, NC., and on the Village's website (www.villagebhi.org).

Those who wish to be heard at the hearing can attend in-person or submit comments in writing to the Village Clerk at Village Hall or via e-mail village.clerk@villagebhi.org. Written comments must be received by 5:00 p.m. on Thursday, December 12, 2024.

If you have any questions, please call the Village Clerk at (910) 457-9700 ext. 1001.

Darcy Sperry
Village Clerk

(11-29)

BRUNSWICK COUNTY NORTH CAROLINA

AFFIDAVIT OF PUBLICATION

I, undersigned, a Notary Public of said County and State, being duly sworn, qualified and authorized by law to administer oaths, depose and say that she is the employee authoritatively appeared MARISA BUNDRICK, who, being duly sworn, deposes and says that she is the employee authorized to publish this affidavit, of The State Port Pilot Inc., engaged in the publication of a newspaper known as THE STATE PORT PILOT, published, issued and entered as periodicals mail in the United States Post Office, in said County and State; that the notice or other document, a true copy of which is attached hereto, was published in THE STATE PORT PILOT on the following dates:

11/20

in the newspaper in which said notice, paper, document or other document was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This the 21st day of November, 2024

Marisa Bundrick
(Signature of person making affidavit)


Sworn to and subscribed before me this 21st day of November, 2024

Carol S. Magnani



Exhibit C

(Plan Distributed via Village's Voice E-Newsletter)

 villagebhi.org/villages_voice/villages-voice-52/

a higher location on the cell tower next month (December 2024). This work should be completed by the end of the 4th quarter.

- Mr. McCall announced that the Village has completed a draft ADA Transition Plan. He reviewed the implementation plans which include communications, public buildings, spaces and rights-of-way. The draft plan is available online [HERE](#). The Village is requesting public input which can be submitted to the Village Clerk (village.clerk@villagebhi.org) or at the December 13, 2024, public hearing.
- Ms. Faulkner (Public Information Officer) reported that Village staff hosted the Village's inaugural hospitality meeting on October 23. About 25 folks attended, representing several rental companies, inns, and a few businesses. Staff gave an overview of the Village's communication channels and target audiences. Then there was a discussion amongst the group on the best ways to inform renters about the island to improve their experience. This generated a few ideas for additional content that can be pushed out to the renters prior to their stay. Due to its success, the Village will likely make this an annual meeting.

A full account of these meetings can be found in the minutes which are posted [HERE](#). Typically, minutes are posted with the agenda of next month's meeting (e.g. If you want to read the August meeting minutes, they can be found under the September regular meeting agenda).

2025 CDSR Project

The Village's 2025 Coastal Storm Damage Reduction Project is due to start any day now with the mobilization of equipment and pipe placement on the beach near Beach Access #11 (Sandpiper Trail). No sign of them yet as of today (11/21). Sand placement is expected to start the first week in December. The Village will be updating the project webpage ([HERE](#)) and posting regularly on its social media channels ([HERE](#)) as the project progresses. Please send direct any questions to the Village Public Information Officer at public.information@villagebhi.org or (910) 457-9700 ext. 1025.

Weblink: https://villagebhi.org/villages_voice/villages-voice-52/

Exhibit D

(Public Notice – posted at Village Hall, on Village website, and in local newspaper)

PUBLIC NOTICES

MEETING NOTICES

Notice of Cancelled Regular & Special Meetings – September 23, 2024

Notice of Special Meeting – Planning Board – August 28, 2024

Notice of Special Meeting (Closed Session) – Village Council – August 27, 2024

Notice of Special Meeting – Commercial Review Board – August 27, 2024

Notice of Special Meeting & Public Hearing – Proposed Juvenile Curfew Ordinance – August 5, 2024

PUBLIC HEARING NOTICES

Notice of Public Hearing – ADA Transition Plan – December 13, 2024

Notice of Public Hearing – Text Amendments – October 11, 2024

Notice of Special Meeting & Public Hearing – Proposed Juvenile Curfew Ordinance – August 5, 2024

BID ADVERTISEMENTS

Information about RFPs, RFQs, & Bids can be found [HERE](#).

Weblink: <https://villagebhi.org/village-government/council/public-notices/>

Exhibit D - Continued

(Public Notice – posted at Village Hall, on Village website, and in local newspaper)



Village of Bald Head Island

Notice of Public Hearing ADA Transition Plan

Friday, December 13, 2024, at 10:00 a.m.

Notice is hereby given that the Village Council of the Village of Bald Head Island will conduct a public hearing on Friday, December 13, 2024, at 10:00 a.m., or shortly thereafter, in the Multipurpose Room of the Public Safety Building located at 273 Edward Teach Ext., Bald Head Island, NC. The meeting will be broadcasted live via Zoom (a link to the Zoom information can be found on the Meeting Schedule webpage here: <https://villagebhi.org/village-government/council/meeting-schedule/>).

The Village of Bald Head Island is developing an Americans with Disabilities Act Transition (ADA) Plan in order to ensure inclusion and access for people with disabilities. The purpose of the public hearing is to receive public input on the plan. A copy of the plan can be found on the Village website here: <https://villagebhi.org/ada-compliance/>. It is also available for public review Monday through Friday between the hours of 8:30 a.m. and 3:00 p.m. at Village Hall located at 106 Lighthouse Wynd, Bald Head Island, NC., and on the Village's website (www.villagebhi.org).

Those who wish to be heard at the hearing can attend in-person or submit comments in writing to the Village Clerk at Village Hall or via e-mail village.clerk@villagebhi.org. Written comments must be received by 5:00 p.m. on Thursday, December 12, 2024.

If you have any questions, please call the Village Clerk at (910) 457- 9700 ext. 1001.

Darcy Sperry
Village Clerk

State Port Pilot - 11/20/2024
Sunshine List – 11/18/2024

Weblink: <https://villagebhi.org/wp-content/uploads/2024/11/2024-12-13-Notice-of-Public-Hearing-ADA-Transition-Plan.pdf>

Appendix D– Public Notice of ADA Requirements and Grievance Procedure

The Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 (ADA). It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, or benefits by the Village of Bald Head Island. The Village's Personnel Policy governs employment related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date and description of the problem. Alternative means of filing complaints such as personal interviews or tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Mailing address:

ADA Coordinator
Village of Bald Head Island
106 Lighthouse Wynd
Bald Head Island, NC 28461
910-457-9700
villagebhi.org

Within 15 days calendar days after receipt of the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting the ADA Coordinator or his/her designee will respond in writing and where appropriate, in a format accessible to the complainant. The response will explain the position of the Village of Bald Head Island and offer options for substantive resolution of the complaint.

If the response by ADA Coordinator or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response.

Within 15 calendar days after receipt of the appeal the Village of Bald Head Island staff will contact the complainant to discuss the complaint and possible resolution. Within 15

calendar days after the meeting the Village will respond in writing and where appropriate in a format accessible to the complainant with a final resolution on the complaint.

All written complaints received by the ADA Coordinator or his/her designee and any appeals will be retained by the Village of Bald Head Island for at least three years.

The ADA does not require the Village of Bald Head Island to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden. Complaints that a program, service or activity of the Village of Bald Head is not accessible to persons with disabilities should be directed to the ADA Coordinator at (910) 457-9700 ext.1008.

The above notice was posted on the Village website ([HERE](#) under "Other Notices" & [HERE](#)), distributed to the Sunshine List, and posted on the Village Hall bulletin board on 11/19/2024.

Appendix E – Contact Information

ADA Title II Coordinator

Name: Judy Schofield Job Title: Human Resources Director

Office Address: 106 Lighthouse Wynd Bald Head Island, NC 28461
Phone: (910) 457-9700 ext. 1008
Fax: (910) 457-6206
E-mail: jschofield@Villagebhi.org

ADA Transition Plan Implementation Coordinator

Name: Chris McCall Job Title: Village Manager

Office Address: 106 Lighthouse Wynd Bald Head Island, NC 28461
Phone: (910) 457-9700 ext. 1002
Fax: (910) 457-6206
E-mail: cmccall@Villagebhi.org

Attachment 1 – Self-Evaluation Public Buildings, Spaces, Pedestrian Facilities & Public Rights of Way

Village Hall



Village Hall does have a ramp to provide access to the building, and once in the building all areas are accessible. There are several items that should be addressed; there needs to be curb cut or ramp added closer to handicap parking and ramp that accesses the building. Also, the threshold at main entrance needs a smoother transition as the increase in height at door exceeds maximum height. Grab rails need to be added to rear wall above toilet. Padding/insulation needs to be added to area under bathroom sink.



Accessible Parking



Area Where Curb cut was needed



Area Where Curb cut was installed.



Accessible Ramp to Village Hall



Threshold has too much change height



Missing grab rail at rear of toilet



Pad/insulation needed to cover pipes under sink

Island Parcel Center (IPC)



IPC is accessible with a ramp to the main entrance and side entrance. There is a curb cut that gives access from street to area where both ramps are located. All areas open to public are accessible. If future parking is added accessible parking near ramp would be advised.



Ramp at street



Ramp to side entrance



Customer counter building is flat one level



Doors open at customer counter to give accessible lower counter area.

Utilities



Utilities is accessible from a level area adjacent to parking area. Once in the building all areas are accessible as it is a single level building. Bathrooms have required grab bars and showers are roll in with bench seats.



Accessible Path from parking



ADA signage with braille



Bathroom with grab bars



Sink with pipe protection



Water fountain with lower accessible section



Roll in shower with bench

Public Safety



Public Safety is a new building that is ADA Compliant. There is accessible parking with same level access. There is an elevator to give access to top floor. Bathrooms have required turn radius, grab bars, and roll in showers with bench seating.



Elevator



ADA Signage with braille



Drinking fountain with lower section



ADA Sinks with knee space under counter



Bath stall with grab bars



Roll in shower stall with bench seat

Public Works



Public Works is not generally accessible by the public, but the building is all one level that is accessible. Bathrooms have required turning radius, grab bars, and roll in showers with bench seats.



Accessible breakroom



Toilet area with grab bars



Roll in shower with bench

Marina Park



The Marina Park is an area for the public to be able to access the creek via a boardwalk and floating dock. There is a public restroom. All areas are accessible from level non slip surface from parking area to walkways. It is recommended to look at wood walkway to ensure they are in good condition and remain level without raised boards or nails that could cause access issues. Would also recommend adding a bumper along edge of wood walkway where it heads out over marsh and creek to ensure wheels do not roll off walkway.



Accessible Path



Walkway to creek



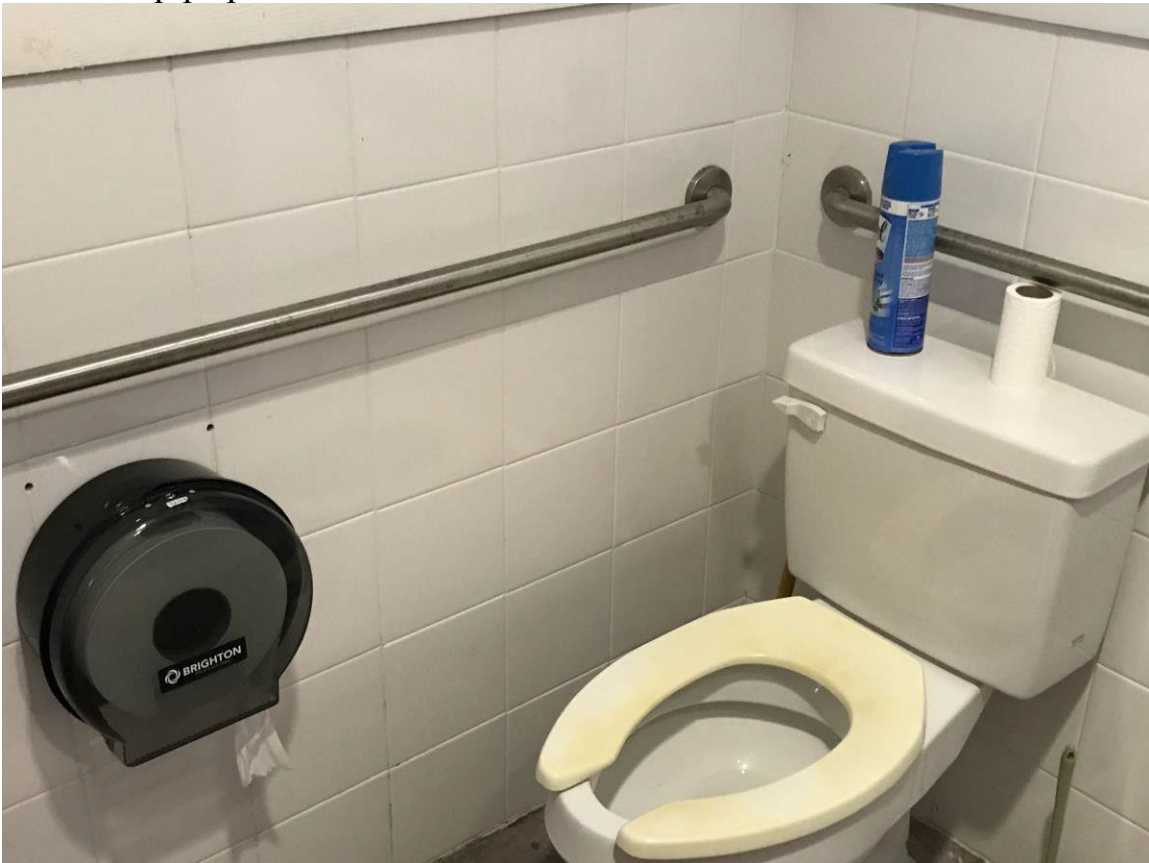
Walkway to creek



Water fountain with lower section



Sink with pipe protection



Toilet area with grab bars

Village Common Park



The Village Common Park is a green space that allows the public an area to enjoy picnic area or open grass areas to play. The area is accessible from parking area via non slip surfaces that give access to the entire park area. There is a raised gazebo that a ramp up to would make it accessible and should be considered.



Typical sidewalk providing access around park



Raised gazebo that a ramp is recommended to make it accessible.

Creek Access



The Creek Access is a park with racks for boats and canoes with a boat ramp and covered picnic area. This park is to provide boat access to the creek and an area to picnic next to the creek. There is a ramp to the covered picnic area and accessible parking. The park is not considered accessible as the area from the parking to the dock and covered deck is not a paved or non-slip surface. It is recommended to make the parking area and path to the covered area and the dock a non-slip surface.



Accessible Parking. Needs to be non-slip surface



Ramp to covered picnic area. Path to ramp needs to be non-slip surface



Dock and ramp to creek. Path to dock needs to be non-slip surface



Path to dock. Needs to be non-slip

Attachment 2 – Summary of Comments Received

(Note: Some comments were pertaining to properties that are not owned by the Village and therefore are not included in this document).

1. I don't think the bathroom in Public Works is ADA compliant due to the wheelchair radius required at the toilet. This should be verified.
2. South Bald Head Wynd handicap parking area across from the ramp has no hard nonslip surfaces IE gravel.
3. Overall, Chris [Village Manager] and his team have done a great job. An excellent start.