



**Middle Island Property Owners Association
Access Control Committee
Middle Island Gate Advocacy Group**

Proposal for Enhanced Security and Gated Access

People choose Middle Island as a place to buy property and build a home for many reasons. It provides a peaceful retreat in an unspoiled natural setting – a place of calm set either along an extraordinary beach or in a vibrant maritime forest, with views of marshland. It is quiet. It is relatively wild. It also provides unique private amenities that can enrich our lives on Middle Island – a marina on Cape Creek, docks on Bald Head Creek, and a private beach access that has become increasingly precious as other island beach access points have been flooded with traffic.

We believe a *part-time* gate at the entrance to Middle Island, in conjunction with cloud-based security cameras, can help preserve what we have found special as the island changes. We believe that a gate can first and foremost enhance road safety, reduce road maintenance costs, lessen road dust, and reduce liability. It can help preserve the natural environment. It can deter theft and vandalism. And as a side benefit, at least two real estate brokers-in-charge have told us a gate would enhance the financial value of our investment in Middle Island. It is important to note that the gate would only restrict cart and vehicle traffic; Middle Island would remain accessible to walkers, joggers, and bicycle riders, who would use a path next to the gate.

Road Safety and Maintenance

Traffic on Middle Island varies greatly with the season. Based on data from the traffic counter in place at the entrance until last year, **360-630 vehicles pass the entrance each day in the summer**, half that number in each direction. During the winter, adjusted counts drop as low as 90.¹ Our study numbers are in full agreement with the study John York performed at the Board's request. His report counted round trips rather than vehicles passing the entrance and concluded that Middle Island averaged 290 visitors/day in July and 57 visitors/day in February. His study also found that traffic volumes have been roughly steady from 2017-2020.²

We also looked at the speed of vehicles on our gravel roads. The Board's speed camera study using a camera mounted on the Middle Island fire station on Cape Creek Road showed that **a substantial**

¹ Based on analysis of traffic counter data 2017-2020. File available at <https://www.dropbox.com/s/nn5m1e5e3wl7uin/2021%20GASC%20Supporting%20Traffic%20Data.pdf?dl=0>
Traffic is adjusted downward 10% to account for trams (vehicles with more than two axles).

² John York's study is based on traffic counter data from 2017-2020 and is available from the Board.

number of vehicles travel well above the speed limit on our gravel roads,³ which came as no surprise. On our winding gravel roads with limited sight lines, that speed is dangerous. There have been two major accidents on Cape Creek Road in the past two years, and many of us walking or cycling on Middle Island have encountered drivers that are speeding or not paying attention.

Violations of the open container law for alcohol, which are on the rise island wide as reported at the June Council meeting, and more broadly driving after drinking both during the day and at night, further increase the risk of accidents.

The heavy traffic (and some of the impaired or reckless driving) increases the risk to pedestrians, bicyclists, and cart traffic. It also takes a toll on the roads, increasing the required maintenance.

A gate is the best action we can take that is likely to increase safety on our roads, making them more comfortable places to walk and bike. A gate can reduce traffic, reduce the number of speeding vehicles, and reduce the need for road maintenance. The entrance fence, signage, and security cameras installed in 2017 as an alternative to a gate have not proven effective at reducing traffic and enhancing safety. Installation of replacement and supplemental surveillance cameras might address some vandalism and security issues; but without a gate, cameras alone do not address road safety, maintenance costs, or environmental preservation.

Bald Head Island Is Changing

The rest of Bald Head Island is increasingly a resort dominated by short-term rentals. Ferry riders including day trippers are at record highs. 33 houses are under construction (the highest number in years) and 13 new houses received final approval by the ARC just in the first four months of 2021. The Club has built a waterpark and an additional restaurant and now reports substantial increases in restaurant revenue, golf rounds, pool use, and temporary memberships. Accommodation tax revenues from short-term rentals increased substantially as well. The trend is toward larger houses, many intended from the start as rental properties rather than second homes. These increases have occurred both during the pandemic and in its wake and demonstrate a continuing shift toward increased occupancy by renters and toward a resort atmosphere. Rental activity is so high that, for the first time, the Club has had to institute limits on the number of temporary memberships. The single-family residence provision of covenants is routinely disregarded.

Along with this gradual change in the character of the island there are **increasing reports of island-wide of vandalism, misbehavior, traffic infractions, and noise violations.** Alligators have been pelted, carts have torn up sand traps and greens on the course, bollards have been removed and placed in the trash for fun, carts have been “borrowed” and then abandoned, beer can pyramids appear on porches, and loud parties last into the night. Both the *Young 2* home two years ago and another home this summer reported unknown people had stayed in their homes while they were away.

And recently the Club issued an extraordinary appeal for civility in dealing with other members and with Club staff. While some of the recent awful behavior might be attributed in part to the stresses of the

³ Based on analysis of data from a speed camera study Spring 2017. Summary graph available at:
<https://www.dropbox.com/s/vc9jrky9umdzrk9/Cape%20Creek%20Rd%20Traffic%20Speed%20Study%202017.pdf?dl=0>

pandemic, the threats toward our property manager from visitors date back well before the pandemic and reflect a feeling of entitlement and a sense of immunity from the consequences of bad behavior.

We believe a part-time gate operating during the busy season can provide some buffer against the changing nature of the island as a whole.

Mischief and Worse on Middle Island Itself

Middle Island has always been treasured for its remoteness, its dense maritime forest, its peaceful atmosphere, and its comparatively natural state. Long-time Bald Head Island residents describe it as “the way the island used to be.” So far, Middle Island has not seen as many problems as elsewhere. So far, traffic on Middle Island, albeit high during many months of the year, remains roughly at 2017 levels.⁴

But Middle Island has always been a magnet for mischief.

Among the “events” of the last several years:

- Golf carts come to our gravel roads in order to do spins – sometimes at night when alcohol may be involved and at least on one occasion during the day in order to film the spin.
- One driver from elsewhere on the island, heading out at night to do cart spins, took a wrong turn at speed and crashed into the Middle Island Fire Station, damaging the door so badly the fire truck could not respond to a call.
- The pool area at the former Racquet and Swim Club was repeatedly vandalized.
- Lumber was stolen from beside the maintenance shed to help build an encampment off Land’s End Road in the Sanctuary, posing a particular danger because it included a fire ring (a forest fire in the Middle Island maritime forest could easily be a nightmare).
- Driftwood, both on private property and in the marsh, has been taken off Middle Island.
- Romantic trysts have been encountered in the woods and at the Cape Creek dock.
- The gate to the floating dock was damaged.
- The Sanctuary gate was seriously damaged by vehicles on several occasions.
- The “No Trespassing” sign at the Sanctuary has been shot multiple times with a rifle.
- When not being shot up, “No Trespassing” signs – and more polite signs restricting the use of our docks to property owners – are simply ignored.
- In one incident, a trespassing deer hunter shot toward a deer, endangering a property owner, a member of his family, and Public Safety officers.
- Visitors are climbing over the floating-dock gate, damaging the gate.
- Until a better lock design was found, trespassers used the doorknob as a step to climb over the beach access gate, destroying the doorknob in the process.
- Littering is common, marring the natural landscape and ultimately harming the environment.
- Our property manager, David Ward, has been threatened while asking Middle Island visitors to follow rules.

Opponents of the gate point to the low number of police reports of incidents on Middle Island. Multiple studies conducted by criminologists document underreporting of many major crimes let alone minor

⁴ Analysis for the Board by John York (supplemented by analysis of seasonal variations from document in footnote 1).

incidents, particularly when no actions (arrests, citations, or warnings) are taken by the police. Closer to home, many of us have witnessed incidents that we have not reported to the police. One ACC member described a conversation with a Public Safety officer about a single afternoon on which Public Safety asked five different groups to leave Middle Island; no report was filed because the interaction was informal. Finally, the data from Public Safety deals only with the pandemic year 2020. It provides no details. There is no way to determine whether any of the incidents documented in our subcommittee report ever resulted in a police report. In this case, we believe a list of incidents gives a better sense of the problem than a count of police reports.

We believe a part-time gate operating during the busy season, combined with security cameras at strategic locations, can reduce the number of problem events on Middle Island.

A Brief History of Middle Island Gated Access Proposals

During Annual Meetings of the Association five and six years ago, the question of gated access to our community was discussed. At that time, the Board studied the issues and concluded that **“gated access would have a number of positive effects on Middle Island:**

- It would significantly **reduce traffic entering Middle Island**, especially from non-BHI residents during the summer and holiday periods. Speeding and careless driving have been a persistent problem down the East Beach Drive straightaway, at the semi-blind curves at the entrance to Middle Island, at a similar curve near the private beach access, and along the gravel roads.
- It would significantly **reduce traffic on the gravel roads**, thus decreasing maintenance costs, reducing dust, reducing liability for road accidents, and improving safety.
- It would **provide greater protection for the unique and fragile environment of Middle Island and the Maritime Forest Sanctuary.**
- It would **deter vandalism and littering** on Middle Island.
- It would **increase the safety of pedestrians and bicyclists** on our roads.
- Combined with new signage, it would **reduce the risk of accidents as pedestrians cross the road from the beach access parking area to the gate.**
- In the opinion of some realtors, **it would enhance property values on Middle Island.**”⁵

The Board at that time readily acknowledged that there are some **potential negative effects** as well, including the possibility that others on Bald Head Island would react negatively to our restricting access to our property, but we think that is a reasonable trade-off for the enhanced road safety, decreased road maintenance, more peaceful natural environment, and likely reduction in vandalism, theft, and the occasional hostile encounter.

Initially, a strong majority of property owners supported the Board’s recommendation, but another group of owners raised questions about the recommendations and Plan B was adopted: build the fence at the entrance, install signage, and install cameras in bollards; then study whether Plan B effectively addressed the problems. It has not.

⁵ Entire section between quotation marks is taken from “Access Control Proposal for MIPOA members – 2015 annual meeting” available at <https://www.dropbox.com/s/ompao3bmk5r7tkz/Access%20Control%20Proposal%20for%20MIPOA%20members%20-%202015%20annual%20meeting%20-%20Copy.pdf?dl=0>

Are Gates Desirable and Reliable?

We solicited the **views of several residents of gated communities and several individuals responsible for management of a gated community or facility**. Obviously, there are a wide range of views about gates in the broader community. Gates may be valued because they enhance safety and security, reduce traffic in the neighborhood, give a sense of a retreat, or enhance property values. They may be disliked because they set a barrier to the larger community, create an undesirable sense of exclusivity, and cause inconveniences both because guest and service provider access must be arranged and because gates occasionally malfunction.

Residents of gated communities and managers generally report that residents of the gated community favor maintaining the gates, despite any inconveniences such as unexpected guests or contractors. In many cases, residents have chosen to live in an already gated community, but some initially ungated communities have chosen to install gates and are satisfied with the result.

Managers reported few problems with the gates themselves. For example, in a 2016 communication, Limited reported excellent reliability of their gate equipment. There were occasional problems with vandalism (which we plan to address with security camera surveillance). Occasional problems at Deep Point were related not to the gate systems themselves, but to the parking payment systems, lightning strikes, and human error. (Our proposed system is less vulnerable to disruption because the access information is stored locally, not just in a central computer system vulnerable to disruptions.) In a recent email, the Club facilities manager reported excellent gate reliability and attributed the few difficulties to human error. Community managers with both attended and unattended gates acknowledge that an unattended gate presents special challenges; we have made every effort to anticipate and mitigate those challenges with our choice of gate mechanism and controller and the proposed installation of security cameras at the gates.

The Gate and Cameras Recommendation

Five years later we are again considering the pros and cons of a gate at the entrance to Middle Island. The arguments for and against a gate have changed little in the last five years, although we know that the measures taken so far have not been effective.

The other report you received includes a survey of Access Control Committee member views. We placed little importance on the survey: the committee composition was not balanced, the survey was conducted before any meetings of the committee had taken place, and we believe the wording of several questions is biased. The other report also summarizes interviews with various Village departments, contractors, utility providers, and others who would use a gate. Because the interviews were conducted before there was a gate proposal with details about how a gate would operate, they focus on gates in the abstract – experiences with gates elsewhere and general feelings and concerns about a gate. They would have been more useful had they been asked to respond to a specific gate proposal with details about how a gate would work for them. If the gate is approved, we should consult with these same individuals – and of course, our property owners - for further input on how to make the gate work best for all concerned.

Because we think the advantages of a part-time gate active only during months of high visitor traffic outweigh the disadvantages, we make the following recommendation to the Board and to our fellow property owners on Middle Island:

The gate advocacy subcommittee recommends that the Association install gates with security cameras at the entrance and exit lanes of the entrance to Middle Island that will operate only certain months of the year.

- **The cost of gate installation will be approximately \$16,000**, paid from the Association's healthy reserve funds.
 - The site was prepared for gates five years ago. The entrance has electrical service to the median where the gates would be installed and has the gate mounting pads in place. Broadband service assumed to be in place for the security cameras.
- **Security cameras with cloud-based monitoring and recording should be added** at the entrance gate, the Cape Creek Dock, and possibly at the Maintenance Garage and select other locations.
 - Broadband service would cost nothing to install. The \$70 per month cost of Spectrum business broadband would provide remote access to both the barrier gates and the security cameras at the entrance.
- **The gates would operate only during months with relatively high traffic** – perhaps beginning with the period from just before Memorial Day through the week after Labor Day.
- **Access would be with proximity cards or with temporary access codes** entered on a keypad, as spelled out in detail in the attached proposal.
- For an additional \$2000-\$4000, we could provide RFID devices that attach to vehicle windshields and a **long-range reader** that would open the gate automatically when the authorized vehicle approaches the entrance gate.
- **Emergency access by Public Safety is no issue** – vehicles will have access cards for routine patrols but more importantly, vehicle sirens will activate the gates.
- **The Conservancy will continue to operate educational tours of Middle Island and the Ibis Lake Sanctuary.** Consideration could also be given to "Middle Island Mondays," opening the gates from 9 to noon each Monday for self-guided tours.
- **Pedestrians and bike riders will be welcome throughout the year.** The plans for the gate have always included a path for pedestrians and bike riders around the gate providing safe and easy access when the gates are in operation.

The detailed gate proposal can be found by clicking on the following link:

<https://www.dropbox.com/s/ig4fw3cl21yd71b/2021%20Detailed%20Gate%20Proposal.pdf?dl=0>

The detailed proposal includes information about the operation of the gates and the provisions for access by homeowners and their guests; by renters; by Transportation, Public Safety, Public Works, and Utilities employees; by contractors; and by visitors to the island.

Malfunction of any gate is a possibility, so the system was designed to provide options in the event of a malfunction; for example, the gates open automatically after a prolonged power failure when the battery backup power becomes low, and the gates can be moved to an open position in the unlikely event of controller malfunction.

The Access Control Committee has looked carefully at security cameras as either an alternative to or a useful complement to a security gate. Our subcommittee believes security cameras are only useful at specific locations that may be prone to vandalism or theft; they would do little to improve road safety and general misbehavior. Our detailed assessment of the usefulness of security cameras can be found by clicking on the following link:

<https://www.dropbox.com/s/imzxqy39z307nht/2021%20Video%20Surveillance%20on%20MI.pdf?dl=0>

The Gate Advocacy Subcommittee is proposing video surveillance as a complement to a security gate, placing security cameras at the gate and at select other locations vulnerable to vandalism.

Summary

We believe that the proposal presented for your consideration balances the many conflicting interests, helping to preserve what makes Middle Island a special place while providing access to Middle Island under the auspices of the Bald Head Island Conservancy. We also believe the proposal addresses concerns about safety and convenience that have been raised. We encourage you to read the full proposal and see whether your concerns are addressed.⁶

⁶ **Postscript: An Added Benefit.** If a gate were installed, **the same proximity cards could be used to operate locks at the beach access, the floating dock, and possibly the Sanctuary gate**, simplifying both our day to day lives by eliminating the need for several keys and David Ward's and Chuck Pardee's lives by eliminating re-keying and distribution of keys. Access control systems can easily be programmed to allow contractor cards to open the entrance gate but not other locks. Because keys can easily be duplicated at a hardware store, non-Middle Islanders with a duplicated key use our beach access gate; proximity cards would largely eliminate that problem because they cannot easily be duplicated and can be deactivated if lost.