



REQUEST FOR BOARD ACTION

ITEM NO. 18.

DATE OF MEETING: May 16, 2011

REQUESTED BY: Kyle M. Breuer, Director, Planning & Community Development

SHORT TITLE: Public Hearing and Resolution Supporting the Designation of a No Wake Zone

BACKGROUND: Pender County staff has been approached regarding the designation of a No Wake Zone on the Northeast Cape Fear River, on a meandering portion of the river channel adjacent to the eastern terminus of Gooseneck Road in Rocky Point. No Wake markers are proposed to be placed in the following approximate locations, designating the extent of the proposed area as shown on the attached map:

- | | | | |
|--------------|---------------|--------------|---------------|
| 1. Latitude: | 34°22'38.03"N | 2. Latitude: | 34°22'35.69"N |
| Longitude: | 77°54'11.80"W | Longitude: | 77°53'58.82"W |

Pursuant to North Carolina General Statutes, Section 75A-15, the local government must furnish the application for a No Wake designation to the North Carolina Wildlife Resources Commission. Included in the application process are the submission of the application form, a resolution from the governing body authorizing application and certifying public notice, a project map, and an estimated cost of the purchase and placement of the markers. Upon the Board's authorization of this application, staff will prepare the application materials and initiate the application process with the Wildlife Resources Commission.

SPECIFIC ACTION REQUESTED: To consider the resolution entitled: Resolution Requesting No Wake Zone.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

GRB
Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that:

the Board hereby adopts the resolution entitled: Resolution Requesting No Wake Zone. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Brown ___ Tate ___ Rivenbark ___ Ward ___ Williams ___

George R. Brown, Jr., Chairman Date

ATTEST Date



RESOLUTION REQUESTING NO WAKE ZONE DESIGNATION

WHEREAS, under the authority of North Carolina General Statutes Section G.S. 75A-15, any subdivision of the State of North Carolina may at any time, after public notice, make a formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits; and

WHEREAS, Pender County has given public notice in the Topsail Voice and Pender Post newspapers on May 4, 2011 and May 11, 2011 of its intention to make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels along the North East Cape Fear River within the territorial limits of Pender County.

NOW, THEREFORE, BE IT RESOLVED that in accordance with G.S. 75A-15, the Board of Commissioners of Pender County requests that the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of the North East Cape Fear River in said County, the pertinent substance of which proposed regulations is as follows:

The requested no wake zone encompasses one specific area along the North East Cape Fear River in Pender County (approximate marker locations):

- | | | | |
|--------------|---------------|--------------|---------------|
| 1. Latitude: | 34°22'38.03"N | 2. Latitude: | 34°22'35.69"N |
| Longitude: | 77°54'11.80"W | Longitude: | 77°53'58.82"W |

Adopted this the 16th day of May, 2011.

George R. Brown, Jr., Chairman

ATTEST: _____
Rick Benton, County Manager