

## Hunters Defend Freedom To Hunt From Roadsides

BY SUSAN USHER

About 100 hunters vigorously defended their freedom to hunt from the right of way of state-maintained roads Tuesday night at an "informational" meeting sponsored by the Brunswick County Board of Commissioners.

The board listened for 1½ hours but, as planned, took no action. The meeting was generally low-key, though loud applause sometimes broke the tension along with an occasional "boo."

Tuesday's meeting was called in response to a request last month from 46 property owners in the Goodman Road area who asked for a ban on hunting from along certain roads in their community because of the threat posed to the safety of their families and property. The board also took up the issue of firefighting deer at night.

"We're concerned for the safety of the landowners whose property borders these roads on both sides (except for one section of N.C. 87)," said Dyon Skipper, a resident of N.C. 87 near Goodman Road and one of the petitioning property owners. "I feel that it's the county's responsibility to protect the landowners who are paying taxes on the property bordering these roads."

"I don't really think it is anyone else's business since they (the hunters) don't have the land," he continued. "How would they like for us to go stand and hunt in front of their homes or near them with a shotgun?"

### Several Options

There are two broad routes the county can take if it chooses to regulate hunting locally, indicated County Attorney David Clegg—adopting a county ordinance that would be enforced by the sheriff's department or seeking special legislation that would apply only to Brunswick County. In that case, the Wildlife Resources Commission would be

charged with enforcement.

Commissioners had previously discussed making any action adopted effective countywide, but Mrs. Shelton and her neighbor, Dyon Skipper, stressed their request was for their community only.

Representatives of five or six hunt clubs argued Tuesday that they too are concerned about safety. Road hunting is safer, they added, than hunting from adjoining woodlands because of improved visibility. Hunters along the road sometimes turn deer back toward by their presence, one man added.

Ira Chadwick of Shallotte, a member of the Coastal Hunting Club, expressed the sentiments of most of those present when he said other hunters shouldn't be affected by a local problem.

"When people get hurt or get killed," he said, "it is not by people from organized hunting clubs. They know what they're doing."

"This is a local problem that should be handled by those property owners and the rest of us should not be punished by it," he said.

Hunters also agreed with Raymond Ludlum of Ash, who, referring to the trespass law, said, "It seems to me like we have all the laws we need."

### Ban 'Too Broad'

Several speakers, including Otis Pellom of the Southeastern Deer Hunters Club, said they sympathized with the property owners, but added that their clubs strongly objected to a ban on road hunting as being too broad.

A few, such as Frank Irving of the Wolf Ridge club, implied a problem didn't really exist in the Goodman Road area, or that if it did, that it was of the property owners' own making.

He and other club members started out "being real nice to her (Mrs. Shelton)," he said, and never went on her property intentionally. But Irving claimed Mrs. Shelton then began "running up and down the road" in

her car every time she saw the hunters' trucks nearby and began harassing the hunters while they were on a public road.

"I feel really insulted," Mrs. Shelton responded, adding that she hated to see the conflict become personal or "neighbor against neighbor and community against community."

But she said the hunter had cursed her in front of her two young boys.

The problems with hunters, she added, have continued over a five-year period, though efforts had been made by she and members of at least one

hunting club to work out their differences by the club giving notice when it was rounding up dogs on her property or the like. But not all the hunters belonged to that club, some to no club at all.

"Let them hunt in their own community, let them hunt on their own land," she suggested Tuesday.

When questioned by Commissioner Frankie Rabon, Sheriff John Carr Davis said he couldn't recall any complaints regarding hunting from the roadside. If they exist, he added, "I know there's been no abundance of them."

When property is posted, the sheriff's department can enforce a law against trespassing on private land, but Davis said his agency can't enforce against hunting from the road.

### Getting The Dogs

Another man, from Ash, said hunters have to retrieve their dogs, which represent a substantial investment.

"When you turn a pack of dogs loose those dogs aren't going to stop at any boundaries or even the state line," he said.

Dyon Skipper said he and others in

his community had no objections to hunters rounding up their dogs and sometimes helped.

"But," he added, "I don't think you have to have a shotgun on you to catch a dog."

Ray Skipper of Leland submitted a 31-name petition countering the Goodman Road petition, with a promise of still more names to come. The petition began circulating the day after news articles appeared about the first petition.

Ray Skipper said members of the Wolf Ridge Hunting Club stay at least 500 yards from any residence.

While no hunting club owns or leases property adjoining the roads in question, Wolf Ridge once leased about 50 to 60 acres adjoining the Goodman property, Vice President Ronnie Sellers said.

The club no longer leases the land, which is now owned by Boise-Cascade. The company does allow hunting on it.

While Ray Skipper said hunting from the road was safer than hunting from 200 yards within the woods, Dyon Skipper said that since the club doesn't have land along the road, "if they're 200 yards from a house or a road, they're on somebody else's property."

Barden McLelland of Wilraington urged both hunters and property owners to be sportsmanlike and show respect for each other.

In regard to a second, unrelated hunting matter on the agenda, several men spoke in favor of further restricting the practice of firefighting or shining a light for deer after dark. Several counties have laws that ban firefighting from a half-hour past sunset to a half-hour before sunrise.

Presently in Brunswick County it is against the law to shoot a deer after dark, but hunters can use lights to locate them from one hour after

(See HUNTERS, Page 2-A)



Ocean Isle Gets New Cycle

Ocean Isle Beach Police Chief Jerry Gurganus sits atop the department's newest vehicle, a three-wheel Honda donated to the town Saturday by the Ocean Isle Beach Property Owners Association. The patrol cycle will be manned by a uniformed officer and used to monitor un-

safe beach activities, vehicle violations, illegal littering and to provide emergency assistance. Property Owners met Saturday for their annual "Trash Bash" clean-up campaign on the island and ended with lunch and the cycle presentation.

STAFF PHOTO BY TERRY POPE

## Three Firms Seek Overturn Of Nursing Home Approval

BY SUSAN USHER

Three nursing home companies are asking the state to take a second look at applications to build a nursing facility in Brunswick County.

Lee Hoffman, a certificate of need project analyst with the N.C. Division of Facility Services, said the appeals were filed Monday, in advance of a 5 p.m. deadline set 30 days earlier.

On March 29 the section approved a

proposal from Autumn Corp. of Rocky Mount to build a 110-bed nursing home in Shallotte, overturning a recommendation from the Cardinal Health Systems Agency board of directors that approval go to a project submitted by Beverly Enterprises. Beverly proposed to build a 100-bed facility on property adjacent to Brunswick Hospital in Supply.

Earlier in the process, Cardinal Health Agency's staff had recom-

mended approval of the Autumn proposal.

The appeals filed during the 30-day period allowed are of two types: 1) requests for a reconsideration hearing; and 2) requests for a contested case hearing.

Autumn was one of six firms vying for a certificate of need, or approval, for its project. The company's main contender for the certificate of need—Beverly Enterprises—filed

both types of appeals.

Britthaven Inc. of Hookerton, a strong early contender in the highly competitive process, is also seeking a reconsideration hearing while Health Care and Retirement Corp. of America (HCR) has asked for a contested case hearing.

In seeking review of their own applications, the firms also asked that Autumn Corp.'s application be reviewed simultaneously.

Neither of the other two contenders for the certificate—Triad Medical Services, which operates Ocean Trail Convalescent Center, and Unifour Medical Management, which had proposed to operate a nursing home as part of a life care center near Bolivia—filed appeals.

Both Britthaven and HCR (Heartland of Brunswick) proposed to build 130-bed facilities in or near Shallotte that would include skilled care, intermediate care and home for the aged beds.

Britthaven's plan also included two

2-bedroom retirement apartments and four 1-bedroom retirement apartments.

Ms. Hoffman said the section has 30 days in which to make a decision regarding the requests for reconsideration hearings.

"We'll act more quickly than 30 days on those," she said.

Where such a request is refused, the firm has another 30 days from notification in which to file for a contested case hearing.

If a reconsideration hearing is granted, it must commence within the 30-day period.

A reconsideration hearing is granted if the applicant shows good cause to hold it, Ms. Hoffman said. These reasons include one or more of the following:

- Presenting significant and relevant information not previously considered by the agency and that the applicant could not reasonably have been expected to provide earlier;
- Identifying a major change in fac-

tors or circumstances that existed at the time of the agency's decision;

•Showing the agency materially failed to follow its adopted procedures in reaching a decision; and

•Offering anything else the agency determines constitutes good cause.

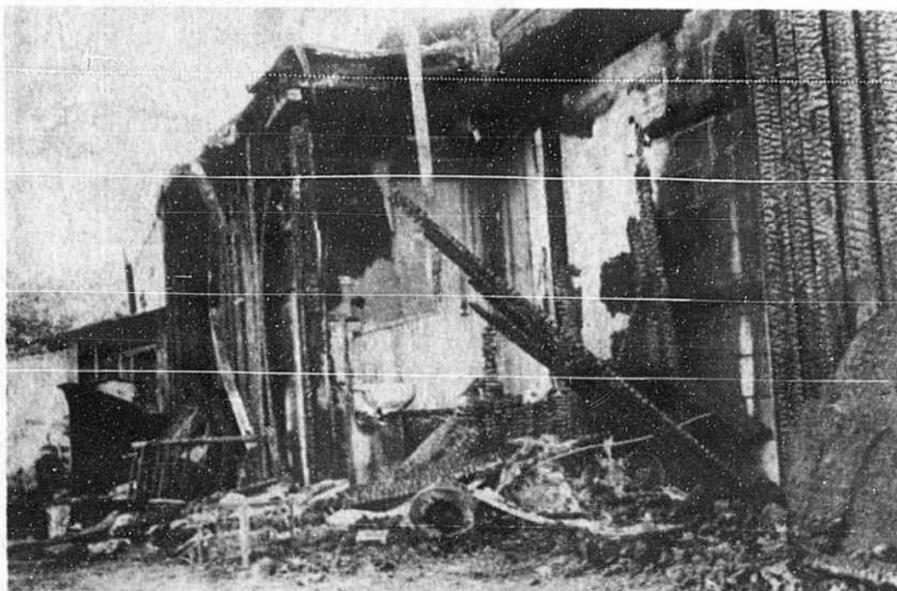
The certificate of need section does not handle requests for contested case hearings, Ms. Hoffman said.

"There are no time frames on these," she said. "They can take a year to two years to resolve."

The contested case hearings are held before an impartial hearing officer, with the state represented by staff lawyers assigned to the N.C. Division of Facility Services by the Attorney General's Office.

The time required depends in part on the number of cases contested and reviewed at the same time and the number of extensions to gather information that are requested by the attorneys involved.

Until all the appeals are resolved, no certificate of need is issued and construction is delayed.



INVESTIGATORS determined Monday the fire that heavily damaged the Waterfront Seafood Restaurant in Seaside was set. The fire broke out in the rear of the

building near a storage room, causing extensive damage.

STAFF PHOTO BY TERRY POPE

## Arson Ruled In Seaside Restaurant Fire

An early morning fire that partially destroyed the Waterfront Seafood Restaurant at Seaside Monday has been ruled arson, said Brunswick County Emergency Management Coordinator Cecil Logan.

State Bureau of Investigation agents were called in Monday morning to determine the cause of the blaze that broke out in the back of the restaurant near a storage room, Logan said. Detectives from the Brunswick County Sheriff's Depart-

ment are also investigating the fire.

"After the fire was put out," Logan said, "we went in and found that there had been a breaking and entering and larceny of a cash register and stereo equipment. We believe the fire was set to cover up a breaking and entering."

Logan said only \$10 to \$12 in change was kept in the cash register. An estimate of damages caused by the fire has not been determined, he added, but the fire caused enough damage to close the restaurant.

Members of the Sunset Beach and Ocean Isle Beach volunteer fire departments responded to the blaze that was called in at 4:23 a.m. Monday. The Calabash Rescue Squad also responded, but no injuries were reported.

The restaurant, located on the Intracoastal Waterway in Seaside, is owned by Steve Gore. The land was changed in February by the Sunset Beach council from MH-1 (mobile home) to MB-1 for commercial use.

### SCHEDULED JUNE 7-8

## Point VFD Flounder Tournament Offers \$3,000 In Cash, Prizes

BY SUSAN USHER

Thirteen fish will be worth \$3,000 in cash and prizes during the Shallotte Point Volunteer Fire Department's Flounder Tournament.

That's an increase in \$500 over the tournament's first prize pot a year ago, said spokesman Joyce Land.

"We learned a lot last year during our first tournament and we've made a lot of improvements," she said. "We've added more prizes and a fish fry."

"We're really excited about this year's tournament."

The 1985 tournament will be held June 7 and 8 at Tripp's Fishing Center at Shallotte Point. A major change in schedule is the addition of a Saturday night fish fry free to tournament entrants and \$3.50 per plate for all others.

An entry fee of \$30 per boat will be

charged, up \$5 from last year. The deadline for receipt of all entries is 7 a.m. June 7.

Boat will fish both days, with a captain's choice weather date. There are no limits on the size boat that can be used.

Tournament boundaries are Lockwood Folly River and Atlantic Intracoastal Waterway Marker 36 to the Little River Inlet.

All fish must be caught by hook from a boat, indicated Ms. Land, and must meet the state's minimum size of 11 inches.

Fishing will commence each day at 7 o'clock with a signal from the committee boat. Checkout will be from the mouth of the Shallotte River between Intracoastal Waterway Markers No. 76 and 78. Check-in will be at the same location.

Any boat that has reached check-

points by 5 p.m. will be disqualified from that day's fishing results.

All fish will be weighed in at Tripp's Fishing Center and can be presented between 8 a.m. and 6 p.m. daily. All fish weighed in become the property of the Shallotte Point Volunteer Fire Department.

Also, she said, all fish entered will be subject to torry meter testing.

Only one prize may be awarded to a boat. Awards will be presented after 6:30 p.m. June 8 at the fishing center. In the event of a poundage tie, the winner will be selected by length.

Decisions of the rules committee will be final.

The largest fish caught in the tournament will net \$1,000, while the second largest brings \$600, the third largest, \$300, and new this year, a \$100 prize for the fourth largest fish.

(See FLOUNDER, Page 2-A)