

# Sunset Residents Question Their Land Use Plan Input

BY TERRY POPE

Sunset Beach residents discovered Tuesday night there's more than one way to fight city hall when it comes to preparing the town's 1985 land use plan update.

At a public hearing, several residents questioned whether their voices will actually be heard when the land use plan is drafted in June. Haskell Rhett, a representative of the N.C. Office of Coastal Management, assured those present that the Coastal Resources Commission will listen to all persons before it adopts the town's land use plan sometime after August.

Town Manager Wallace Martin is responsible for preparing the town's 1985 land use plan update which must be adopted by the town council before the end of

June. If residents are unhappy with the final plan, they can speak against the document at the CRC public hearings, Rhett said.

Several residents attending Tuesday's public hearing questioned if a representative survey recently conducted by the town should be included in the land use plan. The survey randomly polled 10 percent of the Sunset Beach property owners, but many residents believe the poll discriminated against mainland and permanent residents.

Town councilwoman Kathy Hill questioned who was going to compile all the information discussed at the public hearings since there has been no tape recorder present nor notes taken at the meetings.

"This is a real concern of ours," Ms. Hill said, "that there is no official record of these meetings. There's no way we can take back and interpret what was said to the other board members. It's a poor way of handling things."

Only two council members, Ms. Hill and Mary Katherine Griffith, attended Tuesday's public hearing. Ms. Hill said two council members have not attended any of the public hearings on the land use plan.

If comments are heard at the CRC public hearings, then CRC officials may revise sections and resubmit the document to the town for review.

Warren "Bud" Knapp, vice-president of the Sunset Beach Taxpayers Association, said the survey taken by

the town should not be used in the land use plan because the results are misleading. Of those polled, 34 were against building a new high rise replacement bridge to the island while 33 favored a new bridge.

However, at a recent meeting of the SBTA, 124 out of 125 attending were against a new high rise bridge, Knapp said. Such polls should have equal representation in the land use plan, he added.

SBTA President John McCarthy said Tuesday a new bridge for Sunset Beach is "more imminent than most people think." He believes the N.C. Department of Transportation will make another effort to push the project through this summer, but Town Manager Martin said he has received no such word from DOT officials.

# Meares Lawsuit To Remain In Brunswick County Court

BY TERRY POPE

A Superior Court judge ruled Monday that Brunswick County is "certainly the proper place" to settle a lawsuit filed against the county and department of social services by a former DSS employee.

Alinda G. Meares, a former DSS administrative secretary, filed a lawsuit in Brunswick County Superior Court in December asking that county commissioners be required to rehire her with back pay and benefits. She was fired from her job in September 1981 and has also filed a federal lawsuit against the county, the Brunswick County

Department of Social Services and Jamie Orrock, the former DSS director who fired her.

Superior Court Judge B. Craig Ellis of Laurinburg ruled Monday the lawsuit should be heard in Brunswick County. Ellis also ruled that Wake County Superior Court should have jurisdiction over a review of a declaratory ruling in the case made by State Personnel Director Harold Webb.

Brunswick County attorneys David Clegg and Alan R. Gitter filed two motions in December asking that the lawsuit either be moved to Wake County Superior Court or that proceedings be suspended until a review

of the declaratory ruling is made. Gitter argued Monday for a transfer of the case to Wake County to allow "the judge there to be decisive on all issues."

Brunswick County has filed a motion in Wake County seeking to overturn Webb's ruling that the DSS board had the authority to enter into a binding settlement with Ms. Meares. The State Personnel Commission members approved the settlement on Oct. 16, 1984 that was prepared by former DSS attorney Avery Bordeaux, calling for \$22,000 in back pay and reinstatement for Ms. Meares.

However, county attorneys believe

the commission's ruling was incorrect and that the settlement agreement should not be binding on the county, Gitter said. County commissioners have refused to act on the settlement agreement.

Ellis said he did not feel Wake County would delay its decision on the commission's ruling and denied a motion from Dennis Worley, Ms. Meares' attorney, asking that the county be required to file an answer to the suit within 30 days. Wake County Superior Court's decision could have a bearing on how the county may wish to answer the suit, he added.

At Monday's hearing, Worley

argued that county attorneys have waited too late to file for an appeal of the commission's ruling. The ruling was issued in October, but the county did not appeal the decision until after Ms. Meares filed a lawsuit in December, beyond the normal 30-day limit, Worley said.

County attorneys say they were not properly notified of the ruling, but Betty Varnum, DSS acting director, testified Monday that she hand-delivered a copy of the commission's decision to County Manager Billy Carter on Oct. 24, 1984.

"It was common knowledge that we had a case going on and that they (commissioners) were aware of it," Ms. Varnum stated. "As a board member, I would like to see the Alinda Meares case resolved."

DSS attorney Mary Easley asked the judge to keep the case in Brunswick County, "because every witness in that case is a Brunswick County resident. It seems to be impractical at this point to move this case to Wake County," she added.

Worley said Ms. Meares had been "run from court to court to court" with the case since it was filed in December. He asked that the case remain in Brunswick County.

A Wake County Superior Court judge will decide on the declaratory ruling without hearing additional evidence, so the case should be in Brunswick County "without too much more of a delay," Judge Ellis said.

A U.S. District Court judge also ruled last week not to dismiss a lawsuit filed by Ms. Meares' in federal court. Ms. Meares filed the \$200,000 lawsuit on Sept. 10 against Orrock, DSS, Brunswick County and its board of commissioners.

Brunswick County attorneys filed a motion asking that the case be dismissed because the county is an agency of the state and therefore should be immune to lawsuits.

Judge Terrence W. Boyle ruled April 15 in Elizabeth City that the county and DSS are not immune to being sued.

## Flounder Tournney Scheduled

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The five fish with the largest total weight for both days' fishing is worth \$400. A daily prize will be awarded for the most number of fish weighed in per day.

Prizes will also be awarded for the largest fish caught by a woman and the largest fish caught by a child ages 1 to 12.

A captain's meeting will be held Thursday, June 6, from 5 p.m. to 10:30 p.m. at the Shallotte Point Volunteer Fire Department. One representative of each boat should plan to attend to receive the boat's assigned number.

Registration should be accompanied by the entry fee, a list of the intended crew, the boat's name, make and registration number and a statement of responsibility and release of liability signed by the captain or captain's representative. More information and registration forms are available by calling 754-6080 or 754-6985.

Last year 96 fishes were weighed in by the 68 boats entered in the event, with local fishermen claiming all the prizes.

Cora Leyman and James Robert Chadwick of Shallotte Point shared the \$1,000 first prize, while Tommy Johnson, David Hobbs and Darren Johnson, all of Shallotte, finished second for \$600. A crew composed of Doug and Edna Marshburn, Dick Rice and Kathy Woodard, all of Shallotte Point, won the aggregate weight prize. Evelyn Davis of Shallotte won a microwave oven for catching the largest fish of any woman in the tournament, while Robert Usher of Shallotte Point and Fayetteville won a rod and reel combination for the largest flounder in the children's category.

Despite near-perfect weather, tournament fishing last year was slow throughout the weekend, with the fish caught weighing in lighter than anticipated. The prize fish weighed only 4.29 pounds.

## Auxiliary To Meet

Members of the auxiliary to BPOE Lodge No. 2679 will meet Wednesday, May 8, at 8 p.m. at the Dixie Restaurant in Calabash.

All wives of Elks are eligible to attend.

## Commissioners Tie Up Loose Ends

Brunswick County commissioners pulled together several loose ends Tuesday night.

Stinging from criticism leveled recently regarding an unannounced meeting with chamber of commerce officials at Bald Head Island, Chairman Chris Chappell instructed the clerk to the board, Regina White, to "please notify the press" anytime three or more commissioners were to attend a meeting together.

"We got lambasted," he said, referring specifically to one television station's coverage of the Bald Head meeting.

Commissioners' invitations to the event had been mailed to them personally, rather than channeled through the board's clerk and scheduled as is the usual practice, he acknowledged.

Commissioner James Poole announced plans to resign from COG advisory committees on planning and policy and on aging to which he was appointed after joining the COG board as the county's representative.

"I feel it sort of compromises my position on the board if I've advised myself twice already," he said.

Poole said such committees should be manned by citizens rather than public officials whenever possible.

The meetings are time-consuming and provide information he gets at the regular COG meeting anyway.

"It's an unnecessary expense for the county to send me over there," he added.

In other business, the board approved a legal contract with social services board attorney Mary Easley to work with the IV-D or child support enforcement program. The program works through the courts to get parents delinquent in support payments to pay. Some of the

payments obtained can be used to repay social services aid received by the dependents and their family.

Mrs. Easley will be paid \$45 per hour, the highest figure for which the state will provide reimbursement to the social services department,

County Attorney David Clegg said. Obtaining an attorney for the program was of immediate necessity, he said, since IV-D court begins Monday.

"To get the subpoenas out you have to have an attorney," he said.

## Hunters Discuss

(Continued From Page 1-A)

former hunter himself, expressed sympathy for the deer and spoke in favor of the restriction.

"I think they should give the deer a sporting chance," he said. "They run them during the day and sneak up on them at night."

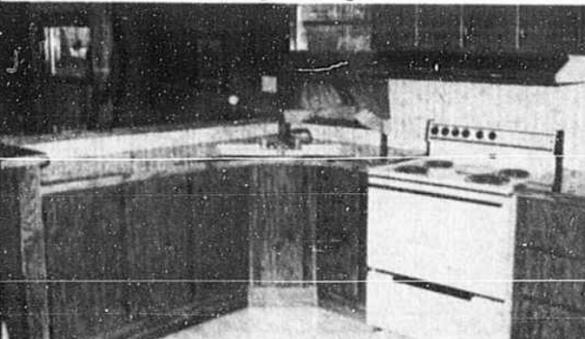
Frank Coleman, vice president of Big Bay Hunting Club at Bolivia, said he favors the restrictions if they would help enforcement officers protect against "slob hunters and poachers."

Except when extra officers are called in to work a problem area, two wildlife officers cover the county with assistance from an officer who also works Columbus County.

"It's very dangerous. It frightens my wife and my family," he said.

Lexie Burton of Old Mill Road, a

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