

LAWS TO GET TOUGHER

Taking More Than 1,000 Flytraps Nets \$50 Fines

BY TERRY POPE

Three men caught taking more than 1,000 rare Venus's flytraps from the Green Swamp in April were sentenced in Brunswick County District Court last week.

Had the men been sentenced next week, their \$50 fines could have been as high as \$2,000 under stiffer penalties that go into effect June 1.

Three men pleading guilty last week to taking protective plants from game lands and trespassing on game lands for purposes other than fishing or trapping were: Cleve Shelton Hewett Jr., 44, of Route 3, Shallotte; Carl Henry Hewett, 32, of Route 3, Shallotte; and Steven D. Juan Woods, 37, of Brooks Drive, Seaside.

Judge Jerry A. Jolly sentenced the men to 30 days in jail, suspended for two years, and ordered that they each pay the maximum fine allowed by current state law, \$50, and court costs of \$51 each. They were also ordered not to violate any laws for two years.

According to warrants filed at the Brunswick County Clerk of Court's office, the men were arrested by N.C. Wildlife Officers Milton McLean and Raymond May on April 4 after the men were spotted leaving the Green Swamp off N.C. 211 with a number of flytraps.

Officers conducted a two-hour stakeout of land belonging to the Nature Conservancy and stopped the men as they rode their bicycles out of the swamp. The rare plants had been packed into plastic bags and tucked into the men's shirts, McLean reported.

Cleve Hewett was accused of taking 488 plants, Carl Hewett with 277 plants and Woods with 297 plants. The men were released after posting \$350 bond each.

The flytraps were confiscated and replanted on Nature Conservancy property in the Green Swamp by conservancy workers and volunteers.

The insect-eating Venus's flytrap grows naturally in the Green Swamp and other wetland areas within a 75-mile radius of Wilmington. In the spring, the plants produce a rising stem of blossoms that make them easier for poachers to spot.

The flytraps retail at garden shops for up to \$6 each. Illegal poaching has threatened the species and has also led the state to impose stricter penalties for stealing them from private property or protected areas.

Current state law makes it a misdemeanor to remove the plants from



STAFF PHOTO BY SUSAN USHER
SPRING BLOSSOMS on the rare Venus's flytrap make the plant more visible for poachers in Brunswick County's Green Swamp.

someone else's property, with penalties ranging from \$10 to \$50 in fines.

Starting June 1, a minimum fine of \$100 will be imposed for a first offense and \$500 fine for a second offense. The maximum fine will increase to \$1,000 in either case.

In addition, the N.C. Plant Conservation Board can also request a hearing and assess a civil penalty of up to \$2,000 against each offender.

Calabash Council Handles Routine Business

Calabash Commissioners spent two hours Tuesday night dealing with routine business before going behind closed doors for an update from their attorney on several ongoing legal matters.

Mayor Pro tem George Anderson presided in the absence of Mayor Douglas Simmons. Commissioner Phyllis Manning is out of town.

In open session the board identified July 17 as the target date for a public hearing on a batch of proposed ordinances.

Included would be proposed regulations on off-street parking, landscaping and subdivisions that were pulled before a public hearing earlier this year.

Also due to go to public hearing are zoning-related proposals on topics such as peddling and hawking, sidewalk sales, streets and ditches and procedures relating to issuance of minor CAMA permits.

The town board referred to the planning board development of guidelines for paving streets on a property owner participation plan, as is common in adjacent towns. This policy or ordinance would outline how residents could petition to have their street paved and set out the rules for assessing property owners at a rate that cannot exceed 50 percent of the project cost. The town would pay the other half.

In the past the town has only used Powell Bill funds from the state for paving, said Town Clerk Janet Thomas.

Commissioner Stuart Thorn said the town al-

so needs to take to hearing an ordinance governing enforcement and penalties as part of its general ordinances, those rules governing matters other than planning and zoning.

Other Business

In other action the board also:

■ Heard from Tom Brendgord, chairman of the planning and zoning board, that he and other volunteers could have a revised map of the extraterritorial map ready for filing within two weeks, which would clear the way for appointment of representatives of the extraterritorial area to town boards.

■ Accepted a low bid of \$2,996 from Major White Construction Co. of Ash to install pipe and two catch basins and slope the ditch in front of town hall to state specifications. The high bid was for \$4,800.

■ Authorized Mrs. Thomas to take steps to hire a secretary to handle minutes at meetings of the planning and zoning board and board of adjustments, advertising if necessary.

■ Refused Paul Martin's request for the town to mow both sides of the ditch in front of his house at 12 Bayberry Circle. Citing a survey, Martin said it was the town's property, adding, "And I'm not going to take care of something that's not mine." Standard mowing area for the town is from the shoulder of the street to the center of the ditch. Martin said he doesn't want to cut grass on the steep bank of the ditch, which he isn't allowed to pipe and fill in under Carolina Shores deed restrictions. The ditches are intend-

ed to both move and store water, Commissioner Jon Sanborn noted.

■ Heard routine committee reports.

■ Accepted the resignation of Phil Nardoci from the planning and zoning board and appointed Bruce Bunt to fill the District 2 vacancy.

■ Referred to the planning and zoning board a proposed ditching project in the extraterritorial zone that would require an extensive permitting process that Commissioner Jon Sanborn indicated the county does not plan to pursue.

■ Saw plans for an "Experience the Real Calabash" billboard that will be erected by the 40-member Calabash Merchants Association near Coquina Harbor in Horry County, S.C.

■ Discussed the need for a drainage pipe beneath a cul-de-sac in Carolina Shores. In periods of heavy rainfall, water flows onto adjacent property, said Commissioner Thorn. "It's just something we inherited," he said. In most cases, piping was installed during construction of the dead-end streets in the subdivision.

■ Concurred with Sanborn that the planning board can spend up to \$500 from the current budget on supplies such as file cabinet, a videotape on planning, literature and a marker board.

■ Heard from Sanborn that the county mosquito control crew is to spray with Malathion next week.

■ Reminded members of the public hearing on the proposed 1991-92 budget set Wednesday, June 5, at 7 p.m. at the fire station.

Recession Just One Reason For State's Problem

How did North Carolina end up with such a serious budget deficit this year?

Rep. David Redwine says the recession is just one of a number of factors for the current budget deficit, which exceeds \$1 billion.

The decline in state revenues began three years ago, he said, citing figures provided by David Crotts, the legislature's chief revenue analyst.

Other contributing factors include the legislature's commitment to several long-range programs such as the 10-year, \$800-million Basic Education Program (BEP) without increasing taxes or cutting other programs.

Revenue growth and a healthy budget surplus in the past covered such commitments, but now the surplus is gone and revenues are lagging, says Redwine.

Income and sales tax make up the bulk of state revenues; in a recession collections drop sharply.

Aggravating the situation is the state's adoption of the federal structure for its income tax. Redwine said this removed 700,000 low-income citizens from the tax rolls and also caused an unanticipated dip of up to \$85 million in revenues because it changed the way certain corporations are taxed.

The state embarked on a "pay-as-you-go" capital construction program in the mid-80s that required tax increases, said Redwine, but did little to increase the General Fund balance.

Also, he said, much of the growth in state budget expenditures has come in areas that the state has little discretionary control over, such as health care and corrections. As the federal share of the state budget continues a decade-long decline, federal mandates for state spending have increased.

Medicaid is one example: The state's share has been rising at a rate of 17 percent a year since 1985-86 and is expected to reach \$627 million in 1992-93—a threefold increase in just seven years.

Court decisions have also forced

increased spending in other areas, such as care for "Willie M" adolescents. The threat of a court mandated federal takeover of operation of the prison system has been "a driving force" in increased spending in that area, said Redwine.

In recent years, Redwine said the state has also used windfalls and other "one-time gimmicks" to meet recurring expenses. One example: A delaying of the last payroll of the fiscal year so that it falls in the next fiscal year, as requested by the governor.

"The bottom line is that the state now faces the river of red ink that has been rising behind a dam of accounting maneuvers," said Redwine.

Hard Times Prompt Review

On the plus side, Redwine said hard times are prompting legislators and state officials to take a new look at how the state budget is adopted and to consider some changes.

A few of the suggestions include adopting more conservative revenue forecasting methods; establishing a permanent rainy day fund; and prohibiting the use of one-time revenues to fund the operating budget.

Revised deficit figures presented to the legislature last week indicate the need to cut another \$276.4 million to maintain a continuation budget of more than \$8 billion, said Redwine. That would be in addition to the \$375.1 million in cuts already identified by the Appropriations Committees.

The governor is proposing several options to satisfy the deficit:

- 1) Reduce to state contributions to the employee retirement system;
- 2) Introduce an early retirement program, making 28 years of service equal to 30.
- 3) Reduce the hiring level for positions vacated by retirees by 30 percent, excluding public school teachers;
- 4) Eliminate 1,827 non-teaching positions;
- 5) Increase court cost fees in the judicial system;
- 6) Increase tuition for students in the state university and community

college systems;

7) Eliminate sales tax paid by state government.

In a related measure, Rep. Frank E. Rhodes has introduced H.B. 921, which would eliminate state budget subsidies for out-of-state students enrolled in the state university system, for an estimated savings of \$58 million dollars based on enrollment figures for the current year.

Redwine said legislators will be

considering the governor's proposals and other options as they try to adopt a 1991-93 budget. They have three choices, he said: Cut expenses; raise taxes or cut expenses and raise taxes.

Anyone with comments or questions about the budget can contact Redwine at 919-733-5787, or by writing him at Room 632, Legislative Office Building, Raleigh, N.C. 27603-5925.

PEOPLE IN THE NEWS

McCoy Returns From Operation

Navy Petty Officer 3rd Class Robert V. McCoy, son of Bruce and Connie Taylor of Route 5, Shallotte, recently returned from deployment to the Middle East in support of Operation Desert Storm.

McCoy served aboard the frigate USS Thomas C. Hart, which is homeported in Norfolk, Va. He joined the Navy in February 1988.

Caster Honored

Rhonda Caster is Bolivia Elementary School's Teacher of the Year for 1991.

She has four years of experience teaching first grade and has gained the respect of her coworkers by conscious attention to her job and her pleasant attitude, a news release indicated.

She is an active member of the National Association of Educators.

Sugg Represented Library

Trustee Matilda R. Sugg of Oak Island represented the Brunswick County Public Library system at the 24th annual North Carolina Public Library Trustee Conference in Winston-Salem recently.

Speakers addressed the theme *Getting the Message Across*. Mrs. Sugg the "message" is that, in order to meet the demands on public libraries from increasing populations and troubled schools, increased appropriations at the state, county and municipal level are necessary.

"Therefore," she said, "people who care about education and libraries must urge their elected officials to support such efforts this year and in coming years."

Reports For Duty

Navy Petty Officer 2nd Class Samuel V. Boyd, son of Dorothy D. and Samuel V. Boyd Sr. of Shallotte, recently reported for duty at Naval Submarine Training Center Pacific, Pearl Harbor, Hawaii.

He joined the Navy in June 1985.

Men Drown In Boat Mishap

(Continued From Page 1-A)

From his vehicle on the beach, Logan radioed directions to the rescue boat in the water. Sgt. Carl Pearson of the sheriff's department spotted the third victim from the airplane.

The rescue boat returned to shore with the three bodies around 6:35 p.m. and the rescue squad transported them to the hospital.

All three victims were picked up within a few hundred yards of each other, and none of them were wearing life jackets. Logan said the two men whose names were not released Tuesday were approximately 28 and 32 years old.

A U.S. Coast Guard marine rescue helicopter from Morehead City arrived at 6:25 p.m.

The sunken boat had not been located by the time the victims were taken to the hospital.

Varnum said Richardson was "in a mild state of shock" when he was transported to the hospital. "He said the boat sank right out from under them and they couldn't bail it out."

Owens had been camping with his wife at Waterway Campground at Brick Landing, where he was a frequent visitor, according to campground manager Dallas Hoover.

Hoover said the three other men were not staying at the campground. They arrived Monday night looking for Owens and returned Tuesday to go fishing in his boat.

Coastline VRS Chief Kathleen

Jacobs and Logan commended the rescue boat team and all of the people who helped from the beach.

Keith Logan, Kevin Mulholland, Larry Abel, Scott Varnum and Darren McDaniel manned the rescue boat. "We couldn't have found everybody without their help," Logan said.

The drowning was the first to occur this year in the South Brunswick Islands. A Yaupon Beach man working on a commercial fishing boat drowned May 16 after he was lost overboard near Bald Head Island.

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