

Health Board Proposals Would Make County, Public Buildings Smoke-Free

BY ERIC CARLSON

Smoking would be prohibited or restricted inside all public buildings in Brunswick County—or just within the county government complex—if the board of commissioners adopts one of two new laws endorsed by the board of health Monday night.

The health board voted unanimously to ask the commissioners for approval of a smoking ban "within all enclosed areas of public buildings and vehicles" owned, maintained or managed by Brunswick County.

And in a split vote, members asked the commissioners to consider extending the regulation of public smoking to retail stores, service lines, elevators, public restrooms, polling places and portions of restaurants

and bars throughout the county's unincorporated areas.

Health board Chairman Skip Davis and members Don Warren and Dr. Harry Johnson dissented in the second vote. Warren is also chairman of the county commissioners, suggesting that the idea of county-wide smoking controls is likely to meet some opposition on the board that will ultimately decide whether to approve them.

The two anti-smoking proposals were drafted by a 15-member committee of county employees chaired by Health Director Michael Rhodes. The group was originally formed to draft a smoking policy for government offices. But after its first meeting, the committee decided to expand its efforts county-wide.

"You have before you the fruits of their labors," Rhodes said in presenting the proposed regulations. He said the county-wide policy is "98-percent similar" to one adopted in New Hanover County.

The rules governing the Brunswick County complex would also prohibit smoking within 25 feet of a building's main door or within 15 feet of an auxiliary entrance. "No Smoking" signs would be required in all areas regulated by the policy.

Any employee who violated the regulations would face disciplinary action under the county personnel policy. "Repeated violations will lead to warnings and eventual termination," the proposed rules say.

However, the regulations do not outline how the

no-smoking rules would be enforced against visitors to the complex. Davis said a major focus of the proposed ban would be to control tobacco use in the waiting areas outside the county courtrooms, where "people are smoking cigarettes with both hands."

Rhodes said Tuesday that department heads would be responsible for enforcing the rules within their buildings. He said the departments of health and social services have encountered few problems with voluntary compliance since "No Smoking" signs were installed in 1986. However, he said some stricter enforcement options might need to be added for other areas of the complex.

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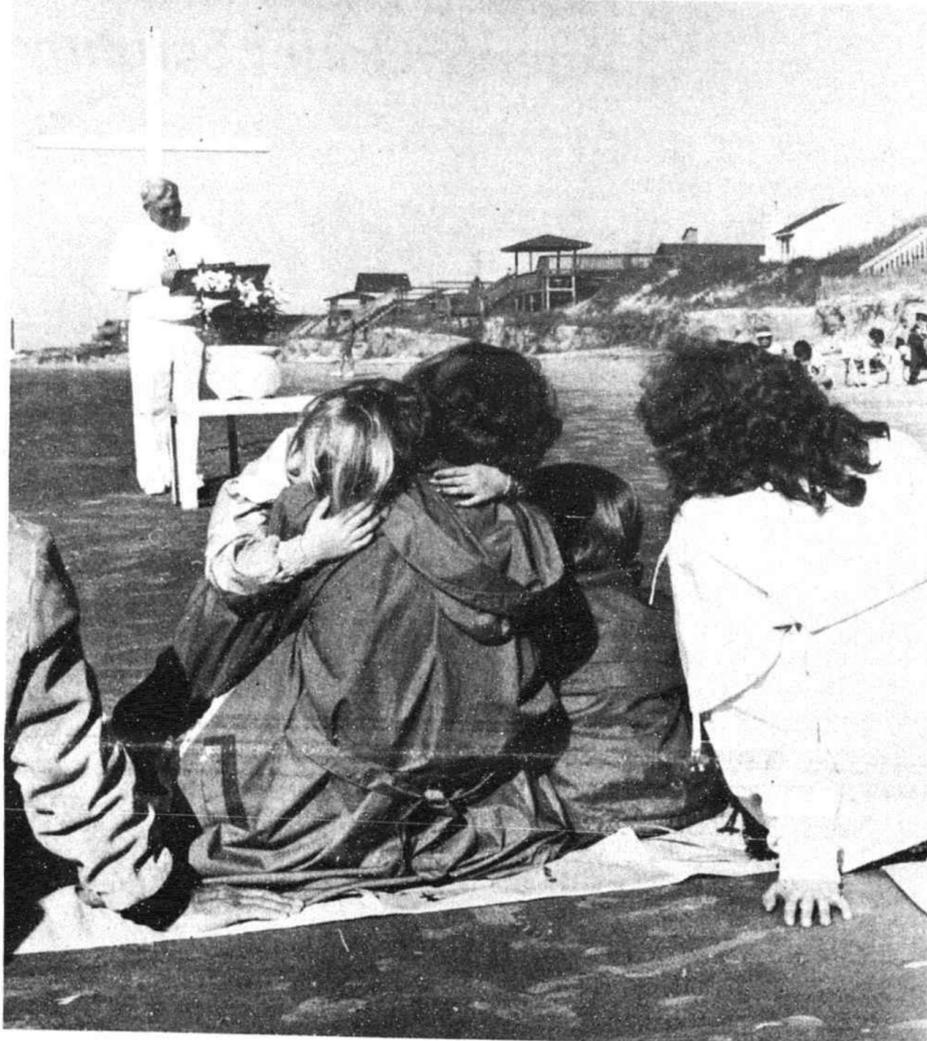
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Snuggling In The Sun

Jenna Bowen found a good place to snuggle in her grandmother Ida Morgan's lap, during early morning service Sunday conducted by Shalotte Presbyterian Church on the strand at Ocean Isle Beach. The family is from Lenoir. The Rev. Lester Dattler (background), pastor, presented the Easter message to a large crowd. The services resume Memorial Day weekend and continue through Labor Day weekend, starting with coffee and doughnuts at 7:30 a.m. and worship at 8:30 a.m. Warm, sunny skies boosted attendance to the largest yet at all area beachfront services.

UPSET BY VOTE AGAINST PRISON

Member Blasts Development Board For Not Attracting Jobs

BY ERIC CARLSON

An obviously frustrated and angry member of the Brunswick County Resources Development Commission criticized the group this week for "doing nothing" to address the county's unemployment problem and charged that RDC Executive Director Thomas Monks has been ineffective and overpaid.

At the RDC's regular meeting Monday night, member Leslie Myrie said he could not vote for the commission's proposed budget, which includes raises for Monks and his assistant, additional hours for a part-time employee and a new car.

Myrie accused the board of wasting money by "studying, forming committees and creating by-laws instead of attracting jobs." He criticized proposals to create and distribute an RDC newsletter and to draft a "mission statement" to guide the commission's activities.

"Is this why we can't attract industry to Brunswick County?" Myrie asked the board. "Because we don't have a mission statement? Because we don't know the bylaws? The creation of this commission is its mission statement—to solicit industry to bring down unemployment."

Myrie suggested that the RDC would be "trying to make fools of the new commissioners" by asking for increases in its budget without attracting new jobs to the county.

"I'm angry," Myrie said in an interview Tuesday. "We're talking about throwing away \$179,000 of taxpayers' money for nothing. We would do better by using that money to hire people at minimum wage than by having someone sitting up there with a brand-new car making a \$50,000 salary."

The budget request approved Monday night calls for an increase in Monks' salary from \$49,010 to \$50,935. The new car would replace a three-year-old, "high-mileage" vehicle, Monks said.

Myrie's anger was initially provoked by an entry in the minutes of the RDC's March meeting. It recorded a unanimous decision to discontinue efforts to attract a state correctional facility to Brunswick County.

Myrie had proposed the idea earlier this year, saying a prison would bring 150 to 350 new jobs to Brunswick County. He said he had been ill and unable to attend the meeting at which the vote was taken.

Insisting that a state prison would be good for the local economy, Myrie said he had heard "unanimous support" for the idea from the sheriff's department and several area police chiefs. He said he had contacted the N.C. Department of Corrections and learned that the starting annual salary for corrections officers was \$18,000.

"We're not even paying our deputy sheriffs that

"You would never know it was here... We could put it out in the Green Swamp and have the alligators guard it."

—RDC Member Leslie Myrie on the idea of building a prison in Brunswick County

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Board's Vote Violates Open Meetings Law

BY ERIC CARLSON

The Resources Development Commission violated the North Carolina Open Meetings Law Monday night by using a secret ballot to conduct a vote that should have been made in public.

Informed of the mistake Tuesday, RDC Executive Director Tom Monks said he would inform members that the vote will have to be re-taken at the commission's next meeting.

During the board's annual selection of officers Monday, members Randy Robinson and John Ramsey were nominated to serve as vice chairman.

At Monks suggestion, commissioners voted in secret by writing their selections on torn strips of yellow legal paper. The director read the ballots and determined that the vote was tied at four votes each.

Then Monks counted the members and realized that nine commissioners were present. Leslie Myrie had not turned in a ballot, saying he felt the vote should be conducted in public. He cast the deciding vote for Ramsey out loud.

According to article 143-318.13(b) of the N.C. Open Meetings Law, "a public body may not vote by secret or

written ballot. If a public body decides to vote by written ballot, each member of the body so voting shall sign his or her ballot; and the minutes of the public body shall show the vote of each member voting."

The written ballots cast by the RDC Monday night were not signed by the commissioners.

Charles Murray of the N.C. Attorney General's office in Raleigh said Tuesday he could not give an opinion on a specific case that his office might later be called upon to prosecute. However, he said the open meetings law is "quite clear" on the question of secret balloting.

"Generally speaking, a vote by a public body is supposed to be on record," Murray said.

Monks said Tuesday that he was "not aware of that and apparently nobody else on the board was either." He said he had been allowed to take such votes while working for boards in other states. He said he asked for the secret vote because the nominees were present at the meeting.

"Everybody on the board is friends with each other," Monks said. "I just wanted to give them an opportunity to save face. If we acted improperly, I'll put it on the agenda for our next meeting and we'll do it over again."

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Health Board, Two Towns Endorse Environmental Plan

BY LYNN CARLSON

The Brunswick County Board of Health on Monday unanimously endorsed the proposal for a combined central sewer and stormwater runoff management system for southwest Brunswick County.

Ironically, the board said its action came after reviewing data submitted by Powell Associates and the Sunset Beach Taxpayers Association, who disagree radically on the source of, and answer to, the area's pollution problems.

Powell Associates, consulting engineers representing the town boards

of Sunset Beach and Calabash, were hired to determine the need for a central sewer system; they have recommended for several months that a combination of central sewer and stormwater runoff systems would be needed to clean up area shellfish waters.

The Sunset Beach Taxpayers' Association has accused Powell Associates of using inaccurate and incomplete data. The taxpayers claim there is no evidence that septic tanks are causing local pollution and suggest that a stormwater runoff

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State Investigates Holden Rental Agencies

BY DOUG RUTTER

Seven Holden Beach real estate agencies accused of allowing too many vacationers in rental houses are being investigated by the state.

The N.C. Real Estate Commission opened the investigation approximately two weeks ago after receiving a letter from town commissioner Sid Swarts, according to a state attorney.

"We are just beginning this inquiry," Blackwell Brogden, deputy legal counsel with the real estate commission, said Tuesday.

The state is looking into charges that a large number of Holden Beach homes rented to visitors are advertised as having room for more people than their septic systems were designed to accommodate.

Under investigation are Holden Beach Rental Services, Brunswickland Realty, Alan Holden Realty, Hobbs Realty, Sand Peddler Realty, Coastal Development & Realty and Craig Realty.

A recent study conducted by Holden Beach's wastewater management committee found that 517 out of 764 units listed in 1993 rental brochures claim more sleeping capacity than their septic systems can handle.

Brogden said it is illegal for rental agents to advertise

that a unit can accommodate eight people when they know it should only sleep six. He sent letters to the seven firms March 31 asking for a response.

In the meantime, the state is conducting its own investigation to determine if the statistics compiled by the wastewater management committee are accurate.

Swarts chaired the committee, which presented several proposals to the town commission aimed at controlling the abuse of septic systems. Each proposal has been rejected by the town board.

If the real estate commission verifies the figures, Brogden said the typical response would be to ask the real estate companies to voluntarily comply with the law and change the advertisements.

The state investigation began following a Feb. 16 letter from Swarts to the real estate commission. Sent with the letter was a copy of the committee's findings on the advertising of rental units.

Town commissioners met behind closed with representatives of several of the rental agencies last week to discuss Swarts' letter, which was written on town stationery.

Following the closed session, Mayor Wally Ausley

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Sunset Taxpayers Seek Voting Districts For Town Council Seats

BY LYNN CARLSON

The Sunset Beach Taxpayers Association has endorsed the idea of establishing at least two voting districts in the town and has authorized its board to pay for legal assistance to help accomplish that goal.

"I am at every town council meeting and I can assure you that island voters have no representation," SBTA President Clete Waldmiller told 72 of the 758-member group attending its Easter weekend meeting Saturday.

"The council votes 5-0 on every issue," Waldmiller said. "There are no checks and balances in this system, and this will continue as long as the council is elected at large. The island pays the lion's share of the tax bill, but has no representation."

Five council members and the mayor are currently elected at large. Mainland voters greatly outnumber island voters, as most island homes belong to out-of-town property owners. Most SBTA

"The island pays the lion's share of the tax bill, but has no representation."

—Clete Waldmiller

members are out-of-town property owners not eligible to vote in the town.

Waldmiller said the SBTA board favors a system similar to Calabash's, in which two commissioners are chosen from the smaller District 1, five from District 2, and the mayor, at large. "They have discussions, checks and balances. Not every motion goes through unanimously."

Any change in the elections pro-

cess would require an amendment of the town charter.

SBTA members heard reports on a number of proposals they have opposed, including establishment of a central sewer system to serve Sunset Beach and Calabash, replacement of the island's pontoon bridge, and the development of Bird Island.

Sewer System

SBTA Treasurer Minnie Hunt reported on the sewer proposal in the absence of John Watts, the SBTA's representative on the town's Citizens Advisory Committee on wastewater.

Hunt called the issue a "moving target" and accused Powell Associates engineers, who represent the two towns, of basing their arguments on "inaccurate and incomplete data."

Hunt said there is "no conclusive evidence that septic tanks are polluting our environment" and blamed area water quality problems on stormwater runoff.

(See SBTA, Page 2-A)