

State Fisheries Director Says Holden Net Rules Are Illegal

BY DOUG RUTTER

North Carolina's fisheries chief says a Holden Beach ordinance regulating the use of gill nets on the strand is illegal and should be repealed after the town and state work out a compromise.

William Hogarth, director of the N.C. Division of Marine Fisheries, told town officials this week that a long-standing local ordinance revised recently in lieu of a controversial state policy on gill nets is against the law.

"What you all have done in reaction to it is illegal," Hogarth said at Monday night's town meeting. "The only agency that has the right to manage fishing is the Marine Fisheries Commission."

Hogarth said he had received a ruling on the issue from the N.C. Attorney General's office. "That does not mean we want to fight you. What we'd like to do is try to work with you."

Mayor Wally Ausley promised to work this week on a compromise with Rich Carpenter, who manages the Marine Fisheries southern district office in Wilmington.

In the meantime, Holden Beach's ordinance that was amended last month will remain in effect.

State rules that took effect Aug. 2 in Brunswick County only prohibit fishermen from setting nets from the beach or leaving nets unattended within 300 yards of the

beach from Memorial Day through Labor Day of each year.

After Labor Day, nets may be set from the strand but must be attended at all times. All fishing gear such as ropes, anchors and buoys must be removed from the beach when nets are not in use.

"Our intention was to keep the surf from becoming a dumping zone for gear and to cut down on conflicts between commercial and recreational fishermen," Hogarth said.

The rules were included in a proclamation that was issued following a public meeting at Long Beach.

Hogarth said people at the meeting were concerned about fishermen leaving anchors in the water and ropes on the beach. "What

we did at Long Beach and Caswell Beach was asked for and seems to be working," he said.

However, Holden Beach officials say they were told earlier that the state rules would not be enforced at Holden unless the board of commissioners endorsed the regulations.

After hearing from several local net fishermen who objected to the state's new rules, the town board decided against the endorsement and decided to revise the 11-year-old town net fishing ordinance.

Ausley told Hogarth Monday that it's not practical to require the small group of fishermen who use gill nets on Holden Beach to remove their gear every day. "It takes several hours for them to do that."

The mayor said the town board wants to let the fishermen keep their gear out for the entire fishing season. "They have done a good job of tying their lines down. They have cooperated with us on that."

"We want our fishermen to continue doing the things they've been doing for generations as long as it doesn't hurt anyone," Ausley added.

"We want to work with you," Hogarth said. "We don't want to come in here and do something totally opposite of what your commissioners want."

Hogarth said if the town board isn't happy with the final compromise, it can appeal to the N.C. Marine Fisheries Commission.

Holden Proposing Plan For Federal Dune Money

BY DOUG RUTTER

Holden Beach officials plan to submit a proposal within the next week outlining how they would like to use the federal government's money to rebuild sand dunes damaged in a storm last winter.

Interim Town Manager Gus Ulrich said the town will propose using the funds to strengthen the dune along Hillside Drive and fill in holes next to vacant lots that have eroded to the point where they can't be developed.

The Federal Emergency Management Agency gave Holden Beach \$57,000 earlier this year to rebuild dunes that were leveled during a hurricane-like storm on March 13 that caused extensive damage along the coast.

However, town officials have said for months that they don't agree FEMA's proposal for using the money. Ulrich said Tuesday the town will submit its own plan and see if FEMA approves.

If the federal government agrees with the town's proposal, Ulrich said the board of commissioners hopes to start working on rebuilding the oceanfront dunes shortly after Nov. 30.

Trucks hauling sand aren't allowed on the beach until December because of the sea turtle nesting season. "We hope to be in a position to begin some work shortly after the turtle season is over," Ulrich said.

Commissioners crowded into a truck and cruised the strand last week to look over the dunes and see which areas on Holden Beach are in most need of additional sand.

Ulrich said a large part of the federal money could be spent protecting Hillside Drive, an oceanfront street on the east end of the island that is in serious danger of falling into the sea.

In addition to the federal money,

the town has \$44,000 of its own in a dune repair fund that could be tapped for the project.

Ulrich said the town plans to act as a "brokerage" for oceanfront homeowners interested in having their sand dunes nourished. But the owners will have to pay.

The manager said the town will verify sources of sand and possibly line up one contractor to do all of the work. "The town could be in the role of organization and getting a contractor set up."

Ulrich said the beach looks much better now than it did following the storm.

"A lot of people have brought in material and accomplished a lot of protection on their own," he said. "We're looking mainly at areas where this hasn't been done."

FEMA officials had originally suggested the town use the \$57,000 to build dunes adjacent to 30 oceanfront lots.

However, Commissioner Sid Swarts said only two of those 30 lots met the federal agency's own guidelines.

"Their listing is just completely invalid," Swarts said at a recent meeting. "What they seem to want to do is protect some houses so they won't have to pay flood insurance."

Swarts said the town's goal should be to protect the island instead of individual homes.

Commissioner Jim Fournier said FEMA recommended the town spend money in some areas where ocean water is washing under homes and other areas that already have adequate dunes.

Holden Beach Adopts Cable TV Standards

BY DOUG RUTTER

Is Holden Beach getting in the cable television business?

Not exactly, but the town board did adopt minimum standards Monday night that must be followed by its provider, Vision Cable of Wilmington.

Approval of the standards is a required step in the town becoming a cable franchise authority—a move that will give town commissioners the right to question how much Vision Cable charges for basic services.

Interim Town Manager Gus Ulrich said the cable company will provide the town with a schedule of its basic rates within the next few weeks.

If commissioners don't feel the rates are reasonable, they can object and possibly bring about changes.

The customer service standards approved Monday were drafted by the Federal Communications Commission and will take precedent over standards included in the existing franchise contract between the town and company.

"It's pretty strict and better than what we're getting now," Commissioner David Sandifer said. "We won't know if we're getting the service unless we get feedback from the people."

Among the new standards, Vision Cable will be required to maintain a local toll-free telephone line that is available to subscribers 24 hours a day.

The standards also will place time limits on performing installations and correcting service

interruptions and require that the company provide itemized bills and give prompt refunds and credits when due.

Vision also will be required to communicate with subscribers annually about the services they offer, channel positions, prices and options, and installation and service policies.

More Sidewalks Planned

Holden Beach officials plan to extend the sidewalk along Ocean Boulevard from Rothschild Street to Blockade Runner before moving the project to the west end of the island.

Commissioners voted unanimously Monday night to have a sidewalk built from the west-end gate house to Swordfish Drive after the work is completed at the east end of the beach.

In doing so, commissioners postponed work along the section of Ocean Boulevard West between Swordfish and Sand Dollar Drive, which has fewer housing units than area west of Swordfish.

Commissioners budgeted enough money to do finish the entire project this year, but they must coordinate the work with Brunswick Electric Membership Corp. (BEMC), which is burying power lines on the island.

"The reality is the money is there for all of this. It's just a matter of which we do first," Sandifer said.

BEMC is expected to have all construction work along the boulevard west of Swordfish finished early next year so a 1.5-mile stretch of sidewalk can be completed before the 1994 tourist season.

Attendance An Issue

Commissioners rejected a proposal to add a third, alternate member to the Holden Beach Board of Adjustment Monday, deciding instead to push for better attendance by the current members.

Several meetings have been postponed recently due to absences of some of the five regular members and two alternates, said Commissioner Gay Atkins.

"The problem is the people they've got, not adding more," Sandifer said.

Added board member Sid Swarts, "The solution to mismanagement is not more resources."

Town Attorney Ken Campbell was instructed to see what commissioners can do about replacing members who do not attend meetings regularly.

Other Business

In other business Monday, commissioners:

■ Took no action after meeting in executive session for one hour, 20 minutes. Town board members discussed a legal matter, personnel matter and real estate matter.

■ Heard from island resident Mack Foster that a candidates' forum is being planned for Monday, Oct. 25, at 7 p.m. in town hall. Voters will be able to meet candidates running for office this fall.

■ Scheduled a public hearing for Monday, Nov. 1, at 7 p.m. on a proposed ordinance that would allow heating and air-conditioning stands to project into the front- or rear-yard setback area.

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