

Detective Warns Citizens To Watch Out For Roofer 'Flim-Flam'

BY ERIC CARLSON

A Brunswick County Sheriff's detective warned local residents Monday to be on the lookout for a "flim-flam artist" and his accomplices who allegedly swindled an 84-year-old Sunset Beach woman out of nearly \$10,000 last week.

The same man is believed to have pulled a similar scam again Monday afternoon, after which he was nearly captured while attempting to cash a 77-year-old Bolivia woman's check at a Southport bank, Detective Tom Hunter said.

Hunter has asked authorities to be on the lookout for a man identifying himself as James P. Hart, 29, of Elkhart, Indiana. The suspect is described as a white male, 5 feet 10 inches tall, weighing about 180 pounds, with black hair and brown eyes.

Hart was last seen leaving the United Carolina Bank branch at Sawdust Trail, Southport, Monday afternoon. He was a passenger in a white van with a ladder tied to the roof, Hunter said.

The sheriff's department was notified after a Sunset Beach woman reported being approached Thursday by a

man in a red pickup truck who identified himself as James Hart of Gorman Roofing Co.

"He told her the lightning rods on her house needed replacing," Hunter said.

After installing three lightning rods, the man requested \$1,900 for the work and was given a check in that amount. Hunter said the man returned to the woman's home the next day with four other workers and informed her that—while working on the roof—he noticed her chimney flashing also needed to be replaced.

This time, the man charged the woman \$2,900 for the additional work, for which she wrote him another check. Hunter said. Then, about three hours later the man came back and claimed he accidentally overcharged her by \$500.

"He pulled a check out of his pocket and waved it at her. Then he tore it up and asked her to write him another one," Hunter said. "He told her not to bother filling in the numbers and said, 'Just go ahead and sign it and I'll have my secretary make it out.'"

Through interviews at local banks, Hunter has learned that the blank check was made out for \$4,900 and

cached at a branch in Shallotte Friday afternoon. The \$1,900 check also was cashed.

The detective has been examining area bank records to determine whether the con artist also cashed the \$2,900 check he supposedly tore up.

Although the suspect used a red pickup truck in the Sunset Beach scam, Hunter believes one or more additional vehicles may be involved. He feels the group is likely to repeat the offense.

"He parked the pickup at the end of the driveway, where she couldn't see the tags," Hunter said Monday morning. "There were four people with him, so there was probably more than one vehicle."

Sure enough, later that day Hunter overheard a 911 radio dispatch asking Deputy Mary Cron to investigate a Bolivia woman's report of being defrauded out of \$800 for the installation of a single lightning rod on the roof of her home on Green Lewis Road.

"This time he offered to write out the check for the woman to sign," Hunter said. "Then he tore two checks out of the book and kept one."

On his way to the UCB branch in Southport, Hunter

had the 911 center telephone bank personnel and request that they not cash the check. When the suspect arrived, he was asked for identification and produced a photo ID card issued in Indiana Nov. 14 and bearing the name James Hart. Bank tellers tried to keep the man there until police could arrive.

"They weren't able to stall him, but they got an excellent description. They were real observant," Hunter said. "They said he got into a white van that was driven by another white male. They said the vehicle had a ladder on top."

Hunter was given a copy of the bank's surveillance video tape, from which he hopes to obtain a good picture of the suspect. Hart's name and description have been entered into the National Criminal Information Computer, said Hunter.

"It seems pretty obvious that these guys are on the move and that they've done this before," Hunter said. "There's no reason to believe they won't try it again."

Det. Hunter asked anyone who has been approached in a similar manner contact him at the sheriff's department by calling (910) 253-4321 or (800) 672-6379.

OIB Approves 3-Year Contract With Waste Firm

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Trash Contract Extended

Commissioners approved a three-year contract with Waste Industries at an estimated cost of \$180,000 next year. Increases the second and third years will be tied to the regional Consumer Price Index.

The new contract will include return of carts closer to houses and a change in yard waste collection. An open-top container will be placed at a central location and will be available to property owners at all times.

Periodic curbside collection "was very expensive and not real effective," said Commissioner Debbie Sloane Smith.

Other Business

In other business commissioners:

- awarded a \$43,000 contract to low bidder Mark Johnson Construction Co. of Newton Grove to encase and secure the sewer force main running beneath the Intracoastal Waterway which has been partially uncovered by wake-produced erosion.

- accepted "with regret" the resignation of architect Joe Johnson from the town planning and zoning board, and named Judy Russell, zoning administrator with the Brunswick County Planning Department, to complete the remainder of his unexpired term.

- heard from Smith that the U.S. Army Corps of Engineers is still working on its erosion control project recommendations, checking sources for additional sand and preparing several other project alternatives for consideration. It may be late February before the corps makes its formal recommendation.

- learned from Mayor Betty Williamson that the corps has delayed its annual maintenance dredging, saying there isn't sufficient material to warrant removal, and Brunswick Electric Membership Corp. is suspending the island underground utilities project until fall 1995.

- on recommendation of the town attorney, decided to seek the auditor's advice on transfer of ownership of the first responder vehicles to the Ocean Isle Beach Fire Protection Association. The town wants to reduce its liability in the event of an accident involving the volunteer-operated vehicle, but expects to increase its contribution to the association.

- agreed to refund to Stephen Yount his \$1,200 building permit and to ask the planning board to recommend a set procedure for handling refunds.

- also referred to the planning committee a proposal from Building Inspector Drueid Roberson to allow owners of several newly-endangered east end homes to move and park them temporarily on the island while making arrangements for permanent relocation elsewhere on the island. Roberson said it typically takes up to 60 days to process a moving ordinance, which could hinder rescue of the houses.

- agreed, with Proctor voting against it, on Utilities Commissioner Odell Williamson's recommendation to advertise for bids for state-approved extension of water lines to Cumberland, Lee and Goldsboro streets on the east end canals, and West Second Street.

- Proctor questioned the town paying to extend service to the east end streets, noting the town subdivision ordinance requires developers to install utilities. Williamson, the developer, said the roads were part of an already developed subdivision and that it was an oversight the lines were not previously installed.

- heard from Commissioner Kendall Suh that the town is advocating a ban of menhaden fishing one mile off of Brunswick County beaches, a proposal that may not be accepted by the menhaden companies. "Once again we are at an impasse," he said.



DEFENDANT Daniel Cummings, flanked by defense attorneys William Fairley (left) and Michael Ramos, listens to testimony during his first-degree murder trial.



JEWEL BABSON shows how she saw Cummings aiming a pistol at her after shooting her husband Burns Babson to death in his Ash corner store.

Jury Begins Deliberating Fate Of Cummings

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Cummings told Hunter he threw Babson's pistol out the van's window before his capture.

"He wants you to believe that he went in there with no gun and said, 'Give me your money,' and that they got into a struggle over Mr. Babson's gun," Bollinger told the jury. "Folks, if he had given him that much chance to get his hands on that weapon, I don't believe we'd be here today."

"But he didn't," Bollinger said at the close of his argument. "He went

in their and gunned him down."

In addition to the murder charge, Cummings is also accused of armed robbery and assault with a deadly weapon with intent to kill. The third charge stems from events that occurred immediately after Babson was killed. Cummings admitted going around the building and firing shots "to scare off" Jewel Babson after she came from the couple's nearby trailer to investigate.

"I could see a man on the other side through the two doors," Mrs. Babson said. "He ran around the

building and started firing at me."

Cupping her hands together as she spoke softly from the witness stand, Mrs. Babson described how the man held the pistol and pointed it toward her. She later broke into tears as she described entering the store and finding her husband of 22 years "laying there with a bullet shot in his head."

Medical examiner Dr. J.L. Alameda testified Tuesday that Babson probably would have died from either the head wound or the bullet in the back. He said the upward path

of the latter bullet suggested that the second shot was fired after Babson collapsed fatally wounded on the floor.

In his brief statement to the jury, District Attorney Rex Gore lay down on the courtroom floor to demonstrate what he said was the only other possible position from which Cummings could have shot Babson to result in such a wound.

"If that's how it happened, don't you think Mr. Cummings would have mentioned it in his statement?" Gore asked.

"The thing that separates man from the animals is the power to choose," Gore said to the jurors. "Daniel Cummings made one choice after another—to come here, to find a place to rob, to kill, to attempt to escape blame by telling just a little bit of the truth. Now is the time for you to choose what the truth is."

If Cummings, 39, is found guilty of first-degree murder, a second hearing will be held in which the same jury will decide whether he should be sentenced to death or life imprisonment.

Lows In 30s, Highs In 50s: Weatherman

Expect reasonable temperatures and about a half-inch of rainfall over the next few days, advises Shallotte Point weather-watcher Jackson Canady.

The mercury should drop into the upper 30s at night and rise to the upper 50s during daytime, he said.

For the period of Dec. 6-12, Canady measured a maximum high of 75 degrees on the 6th and a minimum low of 31 on the 12th for a daily average high of 65 and an average nightly low of 48. The overall average temperature was 56 degrees, about 7 degrees above average for this time of year.

He measured $\frac{3}{16}$ inch of rainfall at his home.

Authority Names Stormwater Panel

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Purchase of the utility, which serves mainly the Carolina Shores area, was seriously studied when sewer system planning first began for the towns of Sunset Beach and Calabash. It was later dropped from

consideration. Nothing's changed since then, consulting engineer and interim South Brunswick Water & Sewer Authority director Joe Tombro said Tuesday.

The authority is moving ahead with implementation of the project's 201 plan submitted to and awaiting

approval of the Division of Environmental Management.

Meanwhile a Dec. 6 letter from Burnett to his customers advises, "Our utility will ultimately be sold, either to the Town or some other governmental body. Only with the Town's acquisition will you have a voice in future consumer rates and fees and the quality of service you receive."

"You need to decide if you want to own your utility with a \$4.5 million or become part of a \$35.6 million utility plus the \$4.5 million that the town would be responsible for debt service on."

The town is taking a straw poll, with ballots due back Dec. 17, to help decide whether it should pursue the purchase. "They're going to be surprised when they get the results," authority member and former Calabash commissioner Stuart Thorne said afterward, predicting a strong vote against the purchase.

Carolina-Blythe Plant Gets Thumbs-Down From Authority

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Chairman George Knott said Tuesday night that a stormwater management program "should not be very expensive." Preventative measures taken and paid for by developers constitute a large part of the program, coupled with individual property owner's actions.

Tombro said the authority needs to look at the effect of stormwater runoff on ground and surface waters and to establish a "baseline" of existing conditions for future comparison. Cooperative Extensive Service researchers at N.C. State University in Raleigh have agreed to help in establishing such a baseline.

The advisory committee is one of two panels working on the issue of storm water. A Sunset Beach com-

mittee is drafting a model stormwater management ordinance, the first step in the program. Committee members are Councilmen Ed Gore and Herb Klinker, planning board members Sky Bramley and Richard Good and authority members Hank Mattutat and Bud Scrantom. Once drafted the ordinance is expected to become a model for ordinances adopted by Calabash, Sunset Beach and Brunswick County.

THE BRUNSWICK BEACON
 Established Nov. 1, 1962
 Telephone 754-6890
 Published Every Thursday
 At 4709 Main Street
 Shallotte, N.C. 28459

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One Year	\$10.36
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