

THE STATE PORT PILOT



Narrow defeat
South Brunswick Lady Cougar softballers close, so close - 1C

Landmark
Pilots tower no longer stands above the city waterfront - 1B



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Volume 68, Number 31

Published every Wednesday in Southport, NC

Mining lawsuit: Round 2

By Terry Pope
Staff Writer

The Superior Court judge who presided over the first battle involving Martin Marietta Materials and Brunswick County is back for round two.

Judge Ronald Stephens has been reassigned the case by Supreme Court justice Burley Mitchell, and the case has also been designated "exceptional," which allows judge Stephens to hear arguments outside Brunswick County.

But thus far the case has not been scheduled for trial. County officials are concerned and curious by what designating the case "exceptional" means.

"We had requested that whatever be heard be heard in Brunswick County," said Brunswick County attorney Huey Marshall. "We don't know if judge Mitchell didn't understand that. It does not appear to be reflected in the order. We would, of course, want everything heard here."

Three years ago, judge Stephens initially heard Martin Marietta's argument that a public safety ordinance which the county enacted is unconstitutional and that the company holds a vested right to continue its plan to operate a mine on a 1,000-acre tract north of Southport. Judge Stephens ruled in Martin Marietta's favor on four issues, but those findings were set aside in the county's appeal before the N. C. Supreme Court. The case was returned to Brunswick County for trial.

The ordinance prevents mining with explosives and dewatering techniques within five miles of Carolina Power and Light Co.'s Brunswick nuclear plant or the Military Ocean Terminal Sunny Point ammunitions depot. That would include all of the Martin Marietta tract. The company plans to
See Mining, page 7

Correction

A news story in last week's *State Port Pilot*, "Many volunteers may be sidelined," regrettably contained an error in stating that the daughter of Brunswick County commissioner Leslie Collier had been "temporarily removed from the (basketball) team for disciplinary reasons" in January by South Brunswick principal Sue Sellers.

Instead, that action was taken not by Ms. Sellers but by the girls varsity basketball coach, Mike Isenberg, who said the suspension was for one game, against West Brunswick, and was taken "for the best interests of the team."

The Colliers said Tuesday they were not informed of any suspension of their daughter.

BRUNSWICK SCHOOLS

THE WRITE STUFF



Debra Shrader, a kindergarten teacher at Bolivia Elementary, looks through papers where her students wrote sentences and drew accompanying pictures.

Photos by Diana D'Abruzzo



Bolivia Elementary second grade teacher Becky McDowell adds colorful words to her Word Wall this week.

Learning right from the start

By Diana D'Abruzzo
Staff Writer

Colorful alphabet posters line the walls of Debra Shrader's kindergarten classroom where tiny tots learn how to write.

Apples and boys and cats and dogs lead the children into visual lessons of the alphabet.

But at their desks, they're not just printing out words, they're stringing them together into sentences. Kindergartners are writing.

"I am amazed at what they can do," Shrader said, sifting through papers where her Bolivia Elementary School students drew pictures to accompany pencil-printed sentences. "For a five-year-old, that's wonderful."

"I see a purple cow. Be my valentine," one student
See Write, page 8

Not a game for high schools

By Diana D'Abruzzo
Staff Writer

When sophomores curl up with pencil and paper next week to take the state's English II writing test, all the teachers at South Brunswick High School will be biting their nails in anticipation.

English teachers aren't the only ones at the high school who have helped guide and prepare the students for "the big game" that takes place next Tuesday morning.

Teachers in all departments, including math and art, have been instrumental in exposing the students to writing, writing and more writing.

"It really encourages the students," said Gail Lee, head of the English department at South Brunswick High School. "It shows them that everyone is here to help — that the school is working together. We're a team when it comes to the ABCs."

The writing test is part of the state ABCs of Public
See High school, page 9

Effective September 1 Judge upholds Yaupon right of annexation

By Richard Nubel
Municipal Editor

Nearly 500 mainland acres along Long Beach Road, Airport Road and Fish Factory Road will become part of the Town of Oak Island on September 1.

Resident Superior Court judge William C. Gore Jr. Tuesday morning upheld a Yaupon Beach ordinance of annexation town commissioners adopted in September, 1998. Gore found for Yaupon Beach in a suit challenging the annexation that was brought by Southeast Brunswick Sanitary District in October, 1998.

Yaupon Beach and neighboring Long Beach will consolidate as the Town of Oak Island on July 1. The annexation ordinance adopted by Yaupon Beach will become an Oak Island ordinance upon that consolidation.

"This is wonderful news for the town," Yaupon Beach mayor Dot Kelly said. "The annexation was essential for

"The annexation was essential for us to maintain control of our wastewater treatment plant and to pursue other interests."

Dot Kelly
Yaupon Beach mayor

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The Yaupon Beach wastewater treatment
See Annexation, page 6

Sales tax philosophy:

Penny earned, penny saved

By Terry Pope
Staff Writer

An extra one-cent sales tax would help Brunswick County pay for school buildings and community college capital needs if approved by both the General Assembly and county voters.

County commissioners have asked state legislators for a bill to clear the way for a short-term, local-option sales tax that would raise between \$5.1 million and \$5.6 million a year. That money would be placed in a special fund used for school capital items, from prekindergarten needs to Brunswick Community College facilities or to retire debt service.

"We are not the only county that will be asking for a local bill," said county attorney Huey Marshall.

As of last week, 34 of the state's 100 counties had indicated they would pursue local bills to allow collection of the

"It would be for one-time needs, if not specifically for schools then maybe for some county needs."

Bill Sue
District 5 commissioner

extra sales tax in their counties. The deadline for requesting local bills from state legislators is today (Wednesday) at 4 p.m. Brunswick County has also
See Penny, page 6

N. C. 211 near Southport Shooting from 'road rage'

By Richard Nubel
Staff Writer

An unarmed probation and parole officer and an unarmed, off-duty sheriff's deputy Thursday captured the accused "road rage" shooter of a Southport man.

Jabar Ballard, 24, of Leland was captured on rural paved Clemmons Road just off N. C. 211 west of Sunset Harbor Road. He is charged with assault with intent to kill inflicting serious injury for the shooting of Gary Lee Myrick about 30 minutes before his capture.

Investigators say Myrick and a friend were traveling from Southport to the Brunswick Electric Membership Corporation office on N. C. 211 west of the city around 2 p.m. As they approached the BEMC office they encountered a man in a

white Acura Integra and obscene hand gestures were exchanged.

As Myrick pulled his blue Ford into the BEMC parking lot one shot rang out, striking him in the abdomen.

As deputies arrived on the scene, a warning to be on the lookout (BOLO) for a black man driving a white Acura automobile was broadcast over law enforcement radio frequencies.

Probation and parole officer R. David Felts, assigned to that department's Leland office, was traveling eastward on N. C. 211 about 2:35 p.m. when he heard that BOLO.

"I was coming down 211 east and I passed the individual coming out of Sunset Harbor," Felts recalled Monday. "I followed him and let the sheriff's department know where he was."

Felts followed the white Acura to

Clemmons Road, where it turned. He followed the Acura for about 200 yard along Clemmons Road before it stopped.

"He actually stopped about 100 yards in front of my car," Felts said. "He backed up to my car."

Ballard emerged from the Acura, and on Felts' command showed the probation and parole officer he had no weapon. Investigators later searched the N. C. 211 road shoulder for the weapon used in the Myrick shooting but did not locate it.

As Felts ordered Ballard to lie on the ground, off-duty Brunswick County sheriff's detective Leslie Moore arrived on the scene. The two unarmed officers searched Ballard and held him until backup officers arrived.

"He complied with all our orders," Felts
See Road rage, page 12

Wal-Mart property annexed

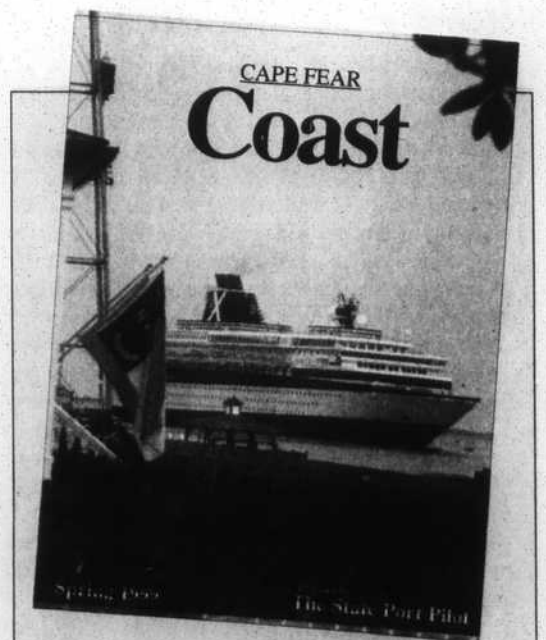
By Richard Nubel
Staff Writer

Southport became 31.7 acres bigger Thursday night.

Without substantial discussion, aldermen that night annexed the N. C. 211 property that is the proposed site of a Wal-Mart superstore. The annexation became effective upon board action.

"The property is annexed," mayor Bill Crowe announced to a City Hall crowd of about 60. "The vote is unanimous."

The proposed annexation had become the subject of some controversy in its few weeks of consideration. A group calling itself Concerned Citizens of Southport
See Wal-Mart, page 7



Visitors guide inside this edition