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Civil Trial in Jury's Hands

Deliberations in the medical malpractice case against Dr. Myron Liptzin will continue today in Hillsborough.

By AMY CAPPIELLO
Senior Writer

HILLSBOROUGH — After deliberating for three hours Thursday, the jury in the medical malpractice lawsuit against former Student Health Service psychiatrist Dr. Myron Liptzin was without a verdict. The jurors will continue deliberations today.

The 10-woman, 2-man jury returned to the courtroom twice, once to ask for clarification on its duty and for presentation materials from both sides and a second time to request transcripts of testimony from the six expert witnesses who testified during the week-long trial. Former UNC law student Wendell

Williamson is suing Liptzin, alleging Liptzin's negligence led to Williamson's January 1995 shooting spree that killed UNC lacrosse player Kevin Reichardt and Chapel Hill resident Ralph Walker.

While the jury did have part of its duties re-read and the props delivered to the jury room, no transcripts of the expert testimony were available.

In his closing statement, Bruce Berger, Liptzin's attorney, reviewed the testimony of the plaintiff's three expert witnesses with the jury, pointing out that two of them had worked with Williamson immediately following the shootings. This relationship made evaluating Williamson's violence easier, Berger said.

"When you look at Wendell Williamson the same way that Dr. Liptzin got to see Wendell Williamson, aren't things a little different than how you see it with 20-20 hindsight?" Berger asked. "What happened in January 1995, everybody has said, was not fore-

seeable. (Plaintiff witness) Dr. (James) Bellard said, 'Those (violent) clues were not available,' when Dr. Liptzin saw Mr. Williamson."

Williamson and his lawyer, Nick Gordon, have alleged Liptzin also acted negligently by diagnosing Williamson as a delusional disorder grandiose instead of as a paranoid schizophrenic. But Berger said this diagnosis and the ensuing treatment were not negligent.

"If his diagnosis was so out in left field and wrong, why is it that Mr. Williamson did so well?" Berger asked.

Gordon said if Liptzin had diagnosed his client as a paranoid schizophrenic Williamson would have had a clearer understanding of the severity of his disease. As it stood, Williamson did not see his illness as something that required extended medication and treatment, Gordon said.

Treatment was something Williamson didn't have after Liptzin retired in May 1994. Liptzin testified earlier that he

gave Williamson different treatment options, depending on where he would be spending the summer.

Gordon said, however, that the least Liptzin could have done was refer Williamson to a specific person within SHS so he wouldn't be left to find his own therapist.

"The standard of care is that you take care in handing the baton over so Wendell Williamson will continue to get treatment," Gordon said.

As the jury deliberated, Williamson's mother, Fonda, had no comment.

But Liptzin said no matter what the verdict was, he was satisfied.

"I am satisfied that I did what I could, and if (the jurors) don't agree with me, that's what the jury system's all about," he said. "I believe I did the best that I could, and I'm terribly sorry about what happened. And I will sleep tonight."

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Police escort Wendell Williamson to the Orange County Jail. Thursday's court session ended with the jury's dismissal to deliberate.

LOG Could Surrender Authority

The Landfill Owners Group finance committee also discussed two fees to raise operations revenue.

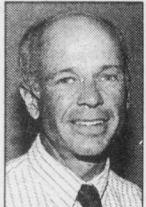
By JONATHAN CHANEY
Staff Writer

The still heavily debated transfer of ownership of the Orange County Regional Landfill will spell the end of the Landfill Owners Group.

The organization has advised landfill operation for over ten years.

After a landfill alternative finance committee meeting Thursday, officials said they would discuss the break up of the organization at the Oct. 14 LOG meeting.

Officials said the group would no longer be needed as a decision making body once the Orange County Board of Commissioners takes full control of the landfill.



Chapel Hill Town Council member Joe Capowski said he trusted the county with control of the landfill.

"(If the county takes over the landfill,) the LOG would dissolve into a Solid Waste Advisory Committee that would report directly to the county commissioners," Orange County Commissioner Bill Crowther said.

The LOG is a body composed of representatives of Carrboro, Chapel Hill and Orange County that makes decisions about solid waste for the county.

Several Chapel Hill Town Council members agreed they would be comfortable acting in an advisory capacity. "We can't expect to give the task to someone else and control it ourselves," council member Joe Capowski said.

Marvin McPherson, who lives near the landfill on Rodgers Road, said he was concerned that resident's needs would continue to be lost in the bureaucratic shuffle.

"Carrboro and Chapel Hill, they never agree on anything at all," he said. "It might be better under one government."

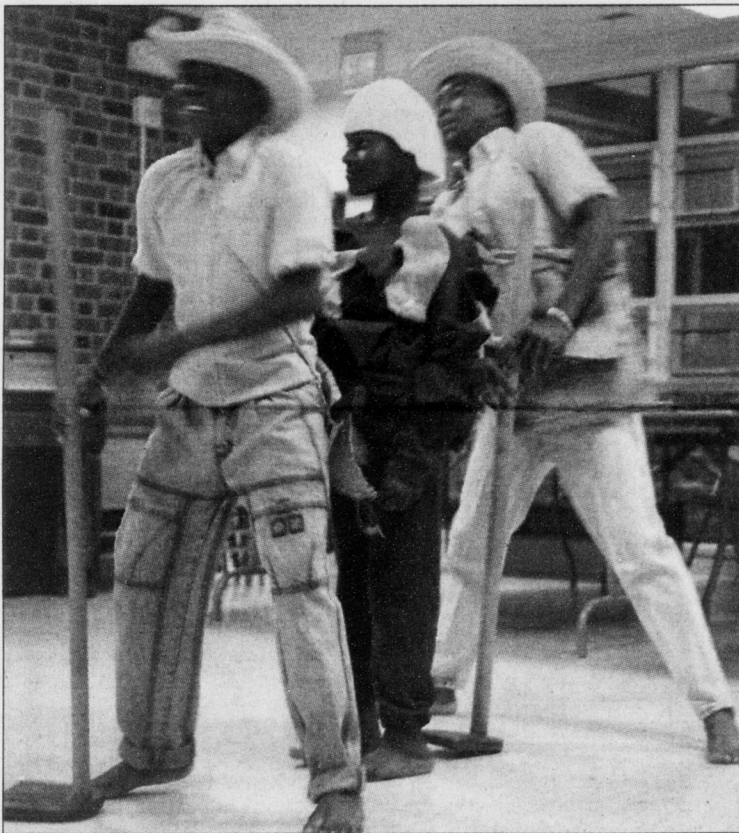
The finance committee discussed two possible programs to fund waste disposal and recycling services while the landfill is still under LOG control.

The first option, an availability fee, is a flat fee charged to residents to pay for waste management services, according to a report prepared by Jeremy O'Brien of HDR Engineering Inc., a Charlotte-based consulting firm.

The second program, a Pay-As-You-Throw fee, charges residents a per-

See COMMITTEE, Page 4

A WING AND A PRAYER



DTH/MICHAEL KANAREK

Walnes Congas, Sony Derazin and Benoit Florestal perform at University Presbyterian Church on Thursday night. They came from Haiti as part of an effort to raise money for the Wings of Hope Home for disabled children, which is located there. See story, Page 4.

School Board Selects Homestead Road Site

The Chapel Hill-Carrboro Board of Education voted unanimously to build a new middle school on the University-owned property.

By ELEANOR CAMERON
Staff Writer

The Chapel Hill-Carrboro Board of Education voted unanimously Thursday night in favor of using the UNC-owned Homestead Road site for the location of the new middle school.

The school board hosted a public forum at McDougle Elementary which wrapped up a controversial decision of where to build the new school.

The debate over the Homestead Road site and a site in the Meadowmont development has involved the community for months.

The forum was opened up to the public as a result of the September 3rd meeting in which Superintendent Neil Pedersen recommended the Homestead Road site.

In addition to the board members, five local residents spoke dividedly on the issue.

Scott Swartzwelder said the Meadowmont location would create a better balance throughout the entire school system.

"The most salient pro for Meadowmont is its geographic location," he said.



School Board Chairman Nicholas Didow said the board also planned to use the Meadowmont site.

"It's not wise to have three middle schools on the north side of town. Furthermore, Meadowmont would have the potential to be a neighborhood school."

Madeleine Mitchell, mother of a 5th grader at McDougle Elementary, spoke in favor of funding both sites.

She proposed building the new school on the Homestead lot, the larger of the two, and putting the Meadowmont lot on reserve for use in the future.

"Homestead would further expansion of the relationship between middle school and university — a win-win situation for both them and us," she said.

However, one of the concerns of the board was the uncertainty of future enrollment figures, Didow said.

"The Homestead site gives us flexibility by responding to inaccurate enrollment predictions by sharing campuses," he said. "Not only will there be a K-12 campus in close proximity, but the logistics of collaborating with UNC gives us a united campus."

Board Member Elizabeth Carter, voicing one of the Meadowmont site's benefits, said it would provide a better racial balance.

"African Americans tend to live in the heart of this community, and that makes it hard to balance the redistricting," she said.

The school board resolutely decided that the Meadowmont site might afford future possibilities as an elementary school or a recreation site.

"We aren't going to let it go to waste," board member Ken Touw said.

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Construction Projects Delay Ram Cafe Debut

The planned late-night snack shop in Lenoir Dining Hall, will offer an espresso bar and flavored coffees once it opens.

By COLLEEN JENKINS
Staff Writer

Students hoping to see a grand masterpiece hiding behind the black plastic curtain hanging in Lenoir Dining Hall would be disappointed if they took a peek.

Piles of wood and paneling, along with saws, are the only items that occupy the future location of the Ram Cafe.

The cafe was supposed to be ready for service by mid-September, but the area is filled with construction equipment.

Scott Meyers, director of Carolina Dining Services, said the cafe would offer students a wide selection of pastries, sandwiches and soups, plus a flavored coffees and espresso bar when it was finally completed. CDS officials said the new cafe would open around Oct. 1.

"It will be more upscale than Union Station," he said. Still, some students are frustrated about this situation.

See CAFE, Page 4

Festival to Highlight Diverse Performances

By JIM MARTIN
Arts & Diversions Editor

DURHAM — For the silver anniversary of CenterFest, the Durham Arts Council invited a "plethora of artists from every walk" to take part in one of the oldest street festivals in the state.

CenterFest, the Arts Council's signature event, boasts three full days of activities for the entire family, including painting t-shirts, listening to musical acts, watching award-winning dance troupes and scoping out the newest visual arts to come out of the Triangle.

Combining 50 musical performers and 150 visual artists from all over North Carolina, such as noted Chapel Hill acts like Nnamdi Ibenagu, Cathy Kiffney and John Kleboe, the event kicks off today with a street dance with music provided by the Nashville-based swing band BadaBing BadaBoom.

Buzzy Orange, the manager of the group, said the festival allowed people to feel more involved in the music.

"I think (CenterFest) brings the bands closer to the people than if they were in a club," Orange said. "People will have the chance to dance to the

music."

Reyn Bowman, president of the Durham Convention and Visitor's Bureau, estimated that more than 60,000 people from all over the Triangle would take part in the festivities over the weekend.

Bowman predicted the festival would generate over \$800,000 in revenue for Durham.

But organizers said the importance of the festival rested with community interaction and art displays, not the money. Because the event will take place in downtown Durham, Bowman said the "urban ambience" of the city would make for a "spiritual awakening" for all persons who participate.

CenterFest Assistant Coordinator Marni Grant said he expected the event to bring the community together under the umbrella of enjoying arts activities.

"The whole Triangle takes place in CenterFest," Grant said. "We find that it brings people together from across all lines."

The diversity Grant described as integral to CenterFest also lends itself to the musical performers.

See CENTERFEST, Page 4

INSIDE Friday

Clash of the Titans

The second-ranked UNC field hockey team will take on No. 1 Virginia and No. 3 Old Dominion this weekend at Navy Field, after losing those same games last season. See Page 7.



Tumbling Temps

The number of students left in temporary housing now stands at 25, one-tenth of what it was at the start of the semester. All students should be out by Fall Break. See Page 2.

Today's Weather

Mostly sunny;
Mid 80s
Weekend: Mostly sunny;
Mid 80s.

Happiness makes up in height for what it lacks in length.

Robert Frost