

# The News - Journal

The Hoke County News - Established 1928

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RAEFORD, HOKE COUNTY, NORTH CAROLINA

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THURSDAY, SEPTEMBER 20, 1979

## Around Town

BY SAM C. MORRIS

The fall weather is still with us and most folks that come into the office these days are making a comment about how perfect the weather is at this time. Just right for a jacket early in the morning and then you can take it off on up into the day.

The nights are just right for sleeping and when you think of the electric bill, it is all that much better.

This kind of weather is perfect for the meetings in the Civic Center with the air conditioning out of order.

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This past weekend Mary Alice and I, along with Ed and Margaret Newton and Sam and Louise Sneed, went down to Wrightsville Beach to talk to the manager of the Blockade Runner Motor Inn about the 1980 Battery 'F' Reunion. The trip was successful as far as getting the reunion plans taken care of during the weekend, but something else happened which makes the saying "this is a small world" come home to me.

After an uneventful trip down to Wilmington except for being stopped by the draw bridge over the Cape Fear River we arrived at Wrightsville Beach. My gas gauge showed about one-half so I pulled into a service station to fill up in case the stations closed during the weekend.

While waiting for the attendant to fill up my tank, a gentleman approached and made the following statement. "Since seeing Hoke Auto Co. on your car, I know you must be Sam Morris!"

Now this is where the "small world" comes into the game. I didn't recognize the gentleman, but from my expression the man brought me out of my deep thoughts. He stated that he was Don Prince.

Of course, I knew Don Prince! He taught my two children in high school here in Raeford in the middle 60's. He also was the coach of the 1966 basketball team that went to the state finals.

Even though my car blocked the station for a few minutes, we did have a nice conversation. Don had put on some weight, like this writer, but he looked fine and from all indications was healthy. It was good to talk with him and the trip was worth more to me just by bumping into him.

Yes, a small world.

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The Hoke High Bucks came back from Pine Forest last Friday night with a 14-7 victory under their belts. This coming Friday night they go to Cumberland County again to meet Seventy-First.

The next home game for the Bucks will be on Friday night, Sept. 28 against Sanford. Make your plans now to be out to cheer the Bucks in their winning streak.

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The bank section in this week's paper shows what the businesses of the community think of The Bank of Raeford. There are 82 ads congratulating the bank on their grand opening of the new building.

Besides the ads in the section, there is news about the bank and the officers, directors and employees. This section took time to put together and without the help of Mrs. Joyce Monroe we feel that the section wouldn't have been as easy to do and wouldn't have as much material in it.

Joyce worked close with Ann Webb in advertising and Bill Lindau who wrote most of the copy for the section. She made sure that each employee turned in a picture and a short write up and this made it much easier on The News-Journal staff.

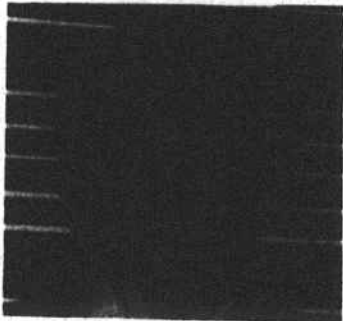
We know that everyone from the officers, directors and staff to the contractor and workers have done a fine job and the new building certainly helps the looks of the city. But we at the office, both in the printing of the newspaper and special section and the book "Progress Since 1903", have worked with Mrs. Monroe and can only say that she has gone right to the "beyond the line of duty" to see that these jobs were made easier for the printer.

We say "Thanks". Joyce and may we return this favor to you at some future date.

Also a big Congratulations to The Bank of Raeford on their progress.

## Air And Ground Search Continues

# Hoke Youth Missing Since Sunday



John Timothy McKenzie

A search is underway for John Timothy McKenzie, 19, of Rt. 1, Shannon, Hoke County, who has been missing since Sunday afternoon.

Hoke County Sheriff Dave Barrington said the youth, the son of Mr. and Mrs. H.A. McKenzie, was last seen about 5:15 Sunday afternoon driving along Gold Hill Road by a woman who said that he waved at her and her child as they were standing in the yard of their home when he passed by heading toward Raeford.

McKenzie, a sophomore at the

University of North Carolina at Chapel Hill, had planned, according to the sheriff, to pick up a friend, Ann MacDonald, the daughter of Mr. and Mrs. Lauchlin MacDonald in Raeford, who is also a student at UNC, and drive her with him to Chapel Hill that day.

He did not pick up Miss MacDonald as planned, nor are there any reports that he has been seen or heard from again.

Sheriff Barrington said his department was conducting a search of all woods and bays accessible by vehicle between Dundarrach and Raeford, and that the search was

being expanded to include the entire area.

In addition to the ground search, Hoke County Civil Preparedness Coordinator Bill Niven was searching by plane in an attempt to spot the missing car and McKenzie from the air. The Stonewall Volunteer Fire Department was also assisting in the ground search, Barrington said.

McKenzie has brown hair and blue eyes, is white, six feet tall, slender of build, weighs 160 pounds, and has a scar on his upper left arm. When he was last

seen he was driving a white, 1975 Ford Mustang, North Carolina license plate number JDE 750.

The Mustang is the property of Mrs. Mary Teague McNeill of Raeford, and was being driven back by McKenzie to her son, Rob McNeill, also a student at UNC-Chapel Hill.

Anyone with knowledge of the whereabouts of John Timothy McKenzie or the missing white Mustang is urged to contact the Hoke County sheriff's office at 875-5111 or any law enforcement officer immediately.

## By Court Order

# Teacher Temporarily Reinstated

A Raeford school teacher denied employment for the new school year about two weeks after being granted tenure and re-employed by the Hoke County Board of Education last April is teaching at Upchurch Junior High School by court order.

Ethelyn H. Baker was reinstated under a temporary restraining order signed recently by Superior Court Judge J.H. Pou Bailey in Fayetteville.

Hoke County Schools Supt. Raz Autry, replying to a reporter's question, said Ms. Baker had been assigned to the Upchurch Alternative Learning Center.

He said with an expression of regret that was all he could say about the matter and that any other information would have to be obtained from Dr. R.M. Jordan, the school board chairman.

Ms. Baker taught at J.W. Turlington Elementary School the past three years.

The injunction against the school board and its members is related to a civil suit Ms. Baker filed through her attorney Aug. 24 in Hoke County Superior Court.

The suit asks for an injunction directing she be reinstated with any back pay and allowances due, a trial of the suit by jury, and an award of actual damages of \$20,000 and punitive damages of \$5,000 from each of the individual members of the board. Named defendants in the suit are the county school board and its members "at the times complained of": Jordan, Ruth S. McNair, Mina H. Townsend, W.W. Cameron, Jr.,

and W.N. Coley.

In brief, Ms. Baker's suit says County Schools Supt. Raz Autry wrote her April 10 advising her that the school board had "voted unanimously to grant you tenure status." The defendant stipulated that Autry would "convey to you some of their concerns."

The suit and related papers also say the following.

Shortly afterward, Autry in a personal meeting with Ms. Baker expressed the board's concerns.

Autry's letter says "it is evident from the evaluations of" Turlington Principals Turlington and Emma Mims, who succeeded Turlington in 1978, "that you have trouble communicating with parents and at times you have a tendency to become extremely angry with the students. You also snap at your students and parents when things don't go the way you feel they should. According to their evaluations, you have a tendency to get on the defensive when you are requested to have a conference with your principal concerning flaws in your performance."

"The Hoke County Board of Education strongly recommends that you meet with Ms. Mims immediately and ask for any help needed to correct these problems. Please sign and after 5 days they will be placed in your file."

Shortly after, Autry met with Ms. Baker and expressed the board's concerns. Ms. Baker accepted Autry's statement of concerns and re-employment. Ms. Baker did not agree with the content of Autry's admonitions and

so advised him. To express her side of the matter, she wrote Autry April 12 requesting a "closed, informal meeting to discuss with the School Board any concerns which they may have..." She also wrote she was returning his letter without her signature because she "emphatically" disagrees with the statements regarding the contents of her evaluations, her attitude, and parent-teacher relationships.

On April 20, Autry wrote Ms. Baker advising that the board acted within the law. "Therefore your request for a closed hearing is denied."

On April 23, "without notice" to her and "without hearing from" her, the defendants voted to terminate the employment granted her on April 9.

On April 24, Autry wrote her advising that the board had voted "not to grant you tenure nor to re-employ you for the 1979-80 school year."

Through counsel, she wrote May 17 asking the defendants, alternatively, to reinstate her, to provide for procedural due process in the event dismissal was pursued, and offering to cooperate to resolve the matter amicably.

"The defendants have taken no further action except to decline a compromise proposal submitted by (Ms. Baker) in late June."

Attorney James C. Fuller of Charlotte, writing on Ms. Baker's behalf May 17, requested the board reconsider its last decision and offer her a contract. If the board declines to do this, he requests a

professional review committee be convened and that full and complete dismissal proceedings be instituted, from which she would have the right to appeal to Superior Court. This is necessary, the attorney said, because once an offer of contract is made, she received "what the U.S. Supreme Court has termed a 'reasonable expectancy of re-employment,' which cannot be taken from her except by following due process of law."

Earlier in her complaint, Ms. Baker says that in each of her three years at Turlington, neither principal indicated neither deficiency nor criticism in the written teacher evaluations she received, and neither did she receive oral negative criticism from the principals or any of the defendant board's agents. She says that it's the policy and practice in the county schools "that any deficiency or criticism observed by an administrator be noted in writing and the teacher advised." Consequently, she says in effect it is fair to feel that such absence indicates the "teacher observed was satisfactory in all respects."

The state statute covering the matter provides that all complaints and criticisms shall be reduced to writing and shall be placed in the teacher's personnel file, her suit says. An absence, Ms. Baker's suit adds, is an indication of satisfactory performance "and creates such presumption."

The suit also says that Ms. Mims recommended last spring that Ms. Baker be re-employed for the 1979-80 school year.

One of the allegations of the suit

is Ms. Baker's dismissal by the board "was in retaliation for her exercise of free speech in seeking to go before the board to explain her views of the concerns expressed."

The dismissal, the suit adds, "because for reasons personal and unrelated to the educational process and being otherwise unsupported by substantial evidence was arbitrary and capricious in violation of the plaintiff's rights as secured by the North Carolina and United States Constitution and the (state) Teacher Tenure Act."

"The plaintiff was denied her rights pursuant to N.C. General Statutes 115-34 (1875) to appeal to the defendant on matters affecting personnel and affecting the plaintiff's right to teach."

"The plaintiff was denied her right to due process of the law and to the law of the land as secured by the Constitution of North Carolina and the United States."

"The plaintiff suffered damage to her professional reputation by the acts of the defendant and further suffered an actionable deprivation of statutory and constitutional rights."

In the claim for punitive damages (See REINSTATE, page 3)

## Mayor Files For 6th Term



Mayor J.K. McNeill, Jr.

Raeford Mayor John K. McNeill, Jr., filed Monday for reelection.

He became the first candidate to file for the biennial municipal election, which will be held 6, Rose Sturgeon, executive secretary of the Hoke County Board of Elections, reported Monday morning.

The filing period opened at noon Friday and will end at noon Oct. 5. The mayor is elected separately from the five members of the City Council, though all are elected on the same day.

McNeill is seeking his sixth two-year term as mayor.

The council terms are for two years also.

Raeford's municipal elections are nonpartisan, and the results are decided by plurality of votes (the candidates receiving the largest numbers of votes are the winners).

The present members of the City Council are Graham Clark, Vardell Hedgpeth, Jr., Benny McLeod, Bob Gentry, and Sam Morris.

## 3 Hurt, Ambulance 'Totaled'

While en route from a point near Poole's Peach Orchard on N.C. 211 west of Raeford to Moore Memorial Hospital at Pinehurst Sunday morning carrying two persons who had been hurt in a one-car accident only moments before, two emergency medical technicians including the driver of the ambulance,

and an ambulance attendant received injuries.

Witnesses said the ambulance, of Hoke County Ambulance Service, was traveling west with its red light on when just inside the Aberdeen city limits a car entered the highway from the left, crossed to the right shoulder as if leaving the

road, then made or began to make a U-turn in the path of the ambulance.

The ambulance had moved to the left to pass the car when the car, driven by Robert Williams, Jr., of Raeford, entered an apparent U-turn and was struck by the ambulance at an angle of about 200 degrees.

On impact, the ambulance turned over and caught fire. As emergency medical technician and driver of the ambulance Thomas Casanova, though hurt himself, removed the four others from the ambulance to safety. Aberdeen Policeman W.D. Dean, who had been on station near a nightspot about 200 yards up the road from the accident, arrived at the scene and extinguished the fire.

The fire blazed a second time, and was extinguished finally by the Aberdeen Fire Department.

A unit of the Aberdeen Rescue Squad arrived and transported ambulance attendant Donna Parker to Moore Memorial Hospital where she was admitted for treatment.

A unit of the Hoke County Rescue Squad, which had not yet left the scene of the earlier accident at the time of the second, arrived and took Casanova and the two victims of the earlier accident, Charles E. Morris, 29, and Lemargie Scriven, 23, of Wagram, to Moore County Hospital, where Scriven was admitted and Morris was treated and released.

Meanwhile, a second unit of Hoke County Ambulance Service

deployed from Raeford to the scene and transported Lori Lynn Niven, an emergency medical technician, to Womack Army Hospital at Ft. Bragg, where she was treated and released.

Reports indicate that the two persons involved in the first accident had essentially the same injuries (Scriven, shoulder injury and neck pains; Morris, neck pains) on arrival at Moore County Hospital.

The ambulance driver, Casanova, sustained a large hematoma and a laceration of the left leg.

Ms. Niven was reportedly knocked unconscious in the wreck, as was ambulance attendant Parker.

She suffered a broken nose, lacerations, and bruises, and Parker reportedly received neck and back injuries.

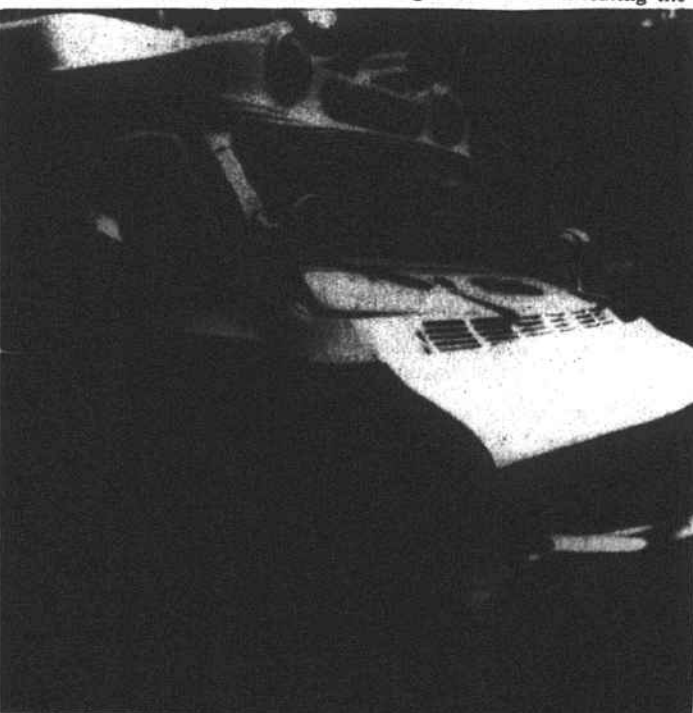
Jim Henley of Hoke County Ambulance Service credits Casanova with "above and beyond" courage in his actions to remove the crew and patients from the burning ambulance.

"He was hurt, himself, and knew the leaking oxygen in the vehicle posed a serious threat with the fire and all," said Henley, "but he didn't let it slow him down a bit."

State Highway Patrolman R.V. Lee investigated the first accident.

Dean charged Williams with careless and reckless driving after consuming intoxicating beverages and failure to yield to an emergency vehicle.

The ambulance was assessed as a total loss.



Ambulance after Sunday morning collision