

## Lumbee Board Rejects 2nd Recall

By Sherry Matthews

Directors of the Lumbee River Electric Membership Cooperative (LREMC) have once again rejected a members petition seeking a recall vote as being "not valid."

At a specially called press conference Tuesday, interim general manager Ronnie Hunt and legal counsel for the coop noted that a petition, signed by more than 10% of the membership, failed to give valid reasons to justify the recall election.

According to Steven A. Bernholz, a Chapel Hill attorney representing the coop, the charges listed on the petition did not show "cause" for a special meeting to be held.

None of the charges listed on the petition were clear enough or cor-

rect enough to show cause within the meaning defined by the LREMC by-laws, Bernholz said.

On that condition alone, the board would have been in violation of the by-laws had they agreed to allow the recall meeting, Bernholz added.

This second refusal came after a March 15 court ruling was handed down placing a temporary restraining order on the coop board and preventing them from hiring a new general manager and destroying or refusing to let members view coop financial records.

The court also approved an Interim Settlement Agreement which stated that the board members had agreed to allow the recall meeting if 10% of the membership signed

petitions asking for that meeting.

According to the coop's legal council, the interim agreement was not valid because the directors withdrew their consent before the agreement was approved by the court.

The agreement by its terms provided that it would not become effective until approved by a court order, Barry Nakel, litigation counsel for the coop said in a memorandum to the board of directors.

Another reason for the apparent denial stems from the fact that petitions submitted by the coop action group were not all valid.

"We removed some 400 to 500 names from the petitions because they were invalid," Hunt said.

According to Hunt some names on the petitions could not be found in the member records file, some names had been duplicated because both spouses had signed the petition, and some names were "clearly and obviously in the same handwriting."

"All these names were removed from the petitions," Hunt said.

Other names were removed from the petition because members requested that their names be taken off the list, Hunt said.

Even with the removal of several hundred names, the petition still contained enough signatures to represent 10% of the coop's membership.

With or without the correct amount of signatures, coop

lawyers felt the allegations listed on the petition did not show just cause for a special meeting to be called.

"I think this board showed last night that they were a very, very conscientious board," Bernholz said.

Board members spent over five hours reviewing all the petitions and information dealing with the recall meeting and had in depth discussions on the matter, Bernholz added.

Speaking for the coop, Bernholz said he hoped that the entire controversy could be settled amicably and without further expense to anyone.

"Our priorities have been

mislead in the past four months of this controversy," Hunt said.

According to Bernholz, coop attorneys and action group attorney Horace Stacey are attempting to settle the matter.

"It's going to take a lot of work, a lot of effort and a great deal of compromise to settle this thing," Hunt said.

"Personally, I would not and will not yield to any concessions," Action group spokesman Carl Branch said.

"What you have seen here today is a total miscarriage of justice, in my opinion," Branch added.

According to Branch, this controversy is not over, in fact it is just (See RECALL, page 12A)

### Around Town

by Sam Morris

Maybe it would have been better if the groundhog had seen his shadow. The weather on Monday set records, not only in North Carolina, but all over the United States.

The snowfall in North Carolina, that is in our section of the state, was a record. According to reports the latest snow that was on the ground was on April 4, 1899 and that was one inch. On April 3, 1950 three inches accumulated in the Piedmont section of the state. There was snow that didn't stick in May, 1939. So you can mark April 18, 1983 as a record snow day on your calendar.

Editor D. Scott Poole wrote in the *Hoke County Journal* April 5, 1923 the following items about cold weather. He stated that a killing frost came on April 26, 1873. Another item said the ground was frozen for two days on March 28 and 29, 1894. At that time the leaves on the trees were full grown when the freeze came.

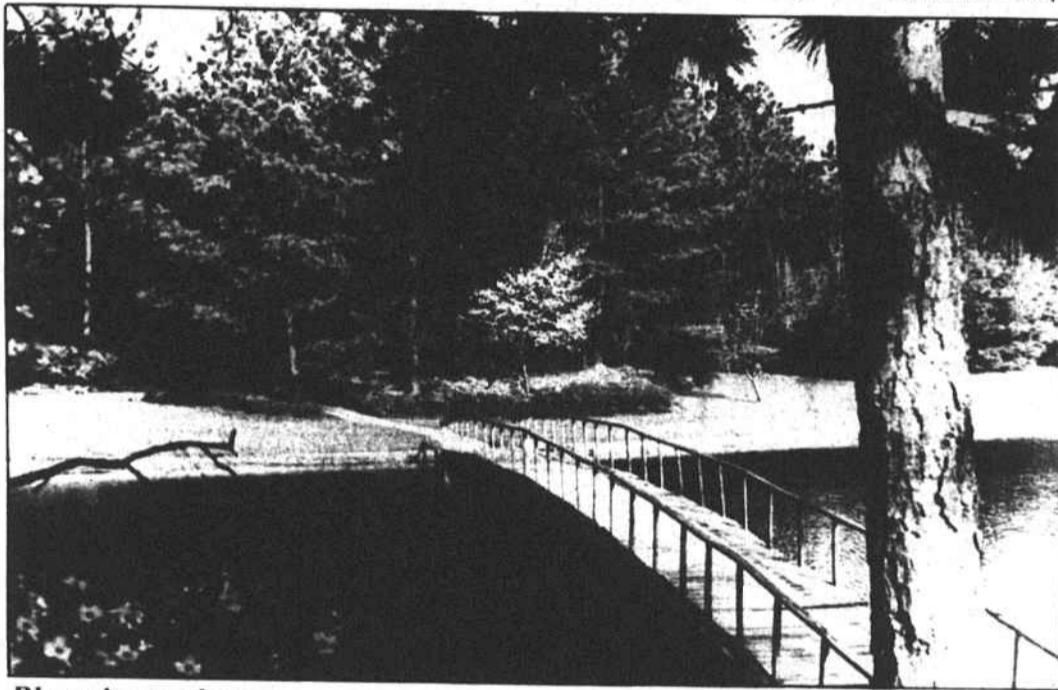
The freezing weather this week could destroy the strawberry crop, according to farm experts. The peach crop could be spared if the temperature doesn't drop below 29 degrees. It was not expected to do so.

Tobacco plants are still in the plant beds and they will be protected from the freezing weather. Farmers are now concerned about the wetness of the land which makes it impossible to get into the fields. One farmer said Monday that he was the farthest behind he had ever been.

The forecast for the upcoming weekend looks good, but forecasts haven't been too accurate this year.

Don't forget that the Hoke County United Way fund drive is underway. If you haven't been contacted, get in touch with the campaign chairman and he will send someone to pick up your money.

Every once in awhile I will read an article that will cause me to (See AROUND TOWN, page 12A)



### Blooming azaleas

Azaleas are in full bloom and gardens are at their peak. Hoke and the surrounding counties are displaying gardens that can compare with those in the more popular azalea capital, Wilmington. We take a look at two area azalea gardens in this week's B-section of *The News-Journal*.

## Alert Raeford Policemen Grab Man In Main St. Store

A Raeford man was apprehended Friday night and charged with the breaking, entering and larceny of a Main Street store.

Henry Lee Legrand of Raeford was captured around 9 p.m. in the Western Auto store with the merchandise he had allegedly attempted to steal, Police Chief Leonard Wiggins said.

According to Wiggins, someone had apparently entered the store by knocking a hole in the roof and climbing through the top.

Sergeant Rodney Collins and Patrolman Junior Ward apprehended Legrand in the store with the assistance of two sheriff's deputies and other members of the police department, Wiggins said.

Officers believe the suspect had allegedly attempted to steal an un-

disclosed amount of cash from the safe as well as a number of guns.

All the property was recovered and returned to the Western Auto Store, Chief Wiggins said.

On another unrelated matter, a Raeford man was charged with allegedly taking a bottle of Thunderbird wine from the A&P food store in the Edenborough Shopping Center on April 11.

Bill Junior McCain of Raeford was arrested and charged with shoplifting, Chief Wiggins said.

The wine was recovered and turned back over to the A&P, Chief Wiggins said.

In the county, Robert Fisher of Rt. 1, Raeford reported that someone had broken into his home on April 7. The sheriff's report shows that two bedrooms in Fisher's home were ransacked and an un-

disclosed amount of money was taken. Fisher also reported that beer and liquor had been spilled on the floor of the bedrooms.

In unrelated incidents, the sheriff's department listed the following crimes:

--Damage to vehicle belonging to Tony Dean Edge of Rt. 2, Raeford. The vehicle was damaged when someone scraped the paint off the top of the car.

--Larceny of bicycle reported by Judy Crawley of Rt. 2, Raeford.

--Vandalism to vehicle owned by Linda Henley. Passenger side of car had been damaged.

--Larceny of cigarette pouch was reported by Bernice Moser of Rt. 1, Raeford.

According to the sheriff's report, the above cases are still under investigation.

## Men Get 14 Years For Armed Robbery

Two Hoke County men were sentenced to 14 years in jail after pleading guilty in Superior Court last week to charges that they robbed a local convenience store March 26 at gun point.

Joseph Melton of Rt. 4, Raeford and Elwood McNair of 1722 Vass Road, Raeford, plead guilty last Wednesday to the robbery of Davis' Cash Mart on U.S. 401 before Superior Court Judge Robert L. Farmer and were sentenced to 14 years in the N.C. Department of Correction.

No suspension was given in either case, but the court did recommend that both men be granted work release when they had complied with the rules and regulations of the department of correction.

The men had allegedly pulled a pistol on an employee of Davis' Cash Mart, Harry Carter, and later hit him on the head with that weapon.

According to the sheriff's investigation, the two men struggled with Carter but could not hold on to him.

Detectives Edward Harris and James Riley searched the area and found evidence that, along with statements from witnesses at the scene, led to the arrest of the two men.

The Grand Jury handed down the indictments last Monday and the two men, who were scheduled for motions, plead guilty to the charges and were sentenced.

In other action during the April term of Superior Court, a Raeford

woman plead guilty to embezzlement charges.

### Embezzlement aired

Margaret R. Davies of Raeford was charged with embezzling money from her employers D.B. Parker and Davis Parker, owners of the Carolina Country Mobile Home Park.

Mrs. Davies had allegedly been embezzling money since February of last year.

According to Assistant District Attorney Jean Powell's reading of the charges, Mrs. Davies apparently had been falsifying receipts and in one instance cashed a check that was supposed to be made to Carolina Country Mobile Home Park.

When Mrs. Davies believed her boss was becoming suspicious, she told her husband and the couple staged a break-in at the mobile home park, stealing the incriminating evidence, according to the Powell's report.

Mrs. Davies' husband was also charged with accessory after the fact of embezzlement to which he also plead guilty.

Mrs. Davies allegedly embezzled over \$8,000.

Judge Farmer gave both husband and wife a three year suspended sentence with supervised probation for five years.

The Davies were also instructed by Judge Farmer to pay a sum of \$9,325 restitution to Carolina (See SENTENCES, page 13A)

## Tempers Flare, Pound Backed

By Sherry Matthews

After a heated debate Monday night, Hoke County Commissioners unanimously decided to go ahead as quickly as possible with plans to improve and relocate the present dog pound facility.

Jack McGinnis, President of the Raeford-Hoke Humane Society, made an emotional plea to the commissioners asking them to make some sort of decision on improving the "inhumane" conditions that exist at the present pound site.

"You appointed a committee to come up with recommendations on a building and a site. We did that in 30 days and now we are waiting for your decision," McGinnis told the commissioners.

"If we (the county) get into the dog pound business, we're going to get nothing but complaints," Commission Chairman John Balfour said.

Balfour suggested to McGinnis that the animal shelter follow in the footsteps of Scotland County by letting the Humane Society operate and financially support the new facility.

"I would like to see our shelter run in the same manner," Balfour said.

"If we get the community involved, I think you would get enough contributions to build a new facility," Balfour added.

A fund, which was established late last year for the construction of a new pound, had received over \$980 in contributions as of Tuesday.

Some members of the community have complained about the expense involved with building the suggested facility, Commissioner Wyatt Upchurch said.

McGinnis informed the board that he had heard no complaints about the recommended site or the cost of building the shelter.

"I hear you say people are complaining, but I don't hear those complaints," McGinnis said.

"It is not fair to me to be told

that there are people against the shelter, but not tell me who or why," McGinnis added.

Former Commissioner Mabel Riley, speaking for the "older citizens" in the county, informed McGinnis that the shelter did not have to be better than most homes in Hoke County.

To build the recommended shelter, people's taxes will have to be raised and that is just not fair, Riley said.

"We need to move that pound but it does not need to be built better than most of the homes that the citizens of Hoke County live in," Riley said.

After Riley's comments, tempers flared as McGinnis criticized the commissioners for buying and renovating the Pilot Building for county use.

"What about the \$125,000 expenditures used for county office space," McGinnis asked.

"The Pilot Building is much better than most houses in the area," McGinnis said.

"These gentlemen (the commissioners) and the people collecting our taxes will have it much nicer once they move into the Pilot Building," McGinnis said.

Buying the Pilot Building was a move to help create more space for the jail facility, Riley said.

"There is room in that building for expansion for years to come," Riley added.

In an effort to smooth tempers, a motion was made to move on the dog pound situation.

"I think we should better the present conditions as much as we can and move it (the pound) as fast as we can," Upchurch said in his motion.

The decision was unanimous to uphold Upchurch's motion.

### Ambulance Woes

In other business, Hoke Ambulance service owner Jim Henley told the commissioners that he (See HENLEY QUILTS, page 13A)

**OUR GOAL**

**\$23,631**

**United Way**

**Spring Up**

*It's that time of year again. Time to set your clocks up one hour. Daylight Savings Time goes into effect Sunday at 2 a.m. So, before you go to bed, reset the clocks. Although you might lose an hour's sleep, look on the bright side, there's more time to work in the garden, play tennis or get a suntan.*