

# The News-Journal

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RAEFORD & HOKE COUNTY N.C.

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## Spouse seeks compensation for McPhatter

### County says no to \$46,000 in annual leave, sick days for convicted embezzler

By VICTORIANA SUMMERS  
Staff writer

Malcolm McPhatter, husband of former county manager Bernice McPhatter, asked that she be compensated more than \$46,000 from the county for annual leave and sick days. This despite her conviction last month of embezzling \$269,000 from the county.

The Hoke board of commissioners unanimously voted to deny the request after a brief closed session.

"Mrs. McPhatter had the nerve to think the county owes her money after she stole from the taxpayers," Commission Vice Chairman Charles V. Daniels said prior to the meeting. "It is ridiculous."

"I recall when I would ask her to

spend more time in the office because you could never contact her when she was needed."

McPhatter is serving a 6-8 year sentence in Central Prison, a maximum-security facility in Raleigh.

She was the highest-paid county employee. Within six years, her salary increased from \$25,524 in 1995 as Hoke's deputy finance director to more than \$85,000 as county manager.

Malcolm McPhatter claimed the sum due to her included unpaid annual leave and sick days she had accrued. He instructed County Manager Mike Wood to send the check directly to him at their home in the 1200 block of Philippi Church Road. Mrs. McPhatter, who resigned in October 2001 under suspicions of embezzlement and forgery, did

not sign the letter requesting the reimbursement.

"The case is settled, and there is no legal reason to continue holding her money," Malcolm McPhatter wrote in his letter of request. "Based on the last pay voucher she received, Hoke County owes her for 240 hours annual leave and 1,000 (plus) hours of other unpaid leave."

"Remit payments as soon as possible in order that I may bring closure to several pending matters."

McPhatter's husband said if county officials had any questions, they could contact her attorney, Gregory Thompson. However, Thompson, who defended McPhatter in the criminal case, indicated he is no longer representing her.

#### Amount unknown

During McPhatter's trial, prosecutor Hoke District Attorney Kristy M. Newton told the court that some Hoke finan-

cial records were missing. Gaps existed in 1994, almost all of 1995 and part of 1996, rendering it impossible to know if (See \$46,000 SOUGHT, page 3A)

## State drops tax fraud charges against former county manager

By VICTORIANA SUMMERS  
Staff writer

After more than 13 months of complications from trial postponements, the state income tax-dodging case against ex Hoke county manager Bernice McPhatter has been dismissed.

Rudy Renfer, state attorney assigned to prosecute the case, filed the request for dismissal on December 8. A subsequent dismissal was granted in the Wake Superior Court on December 15, canceling four counts of alleged income tax

evasion against McPhatter.

Renfer indicated the reason for the dismissal was McPhatter's 6-8 years "active" sentence for embezzlement, which was based on the same evidence he would have been using to prosecute her.

He declined to comment further on his decision to drop the case. However, Noelle Tally, assistant public information officer for the N.C. Attorney General's office, elaborated.

"Bernice McPhatter was already convicted on more serious charges of em-

bezzlement," Brooks said. "If the charges had been consolidated or tried together and a conviction was obtained, the sentences would likely have been served concurrently."

"It would not have resulted in her receiving more time in prison."

Last month, Hoke District Attorney Kristy M. Newton convicted McPhatter before a Cumberland County jury. McPhatter was convicted on four counts of embezzlement of \$269,000 of Hoke County money, and 68 counts of forgery. (See TAX FRAUD, page 8A)



#### East-West Contest

Andre Burgess skies high above the rim in attempt to tap in the basket. Burgess scored 11 points for the East Hoke Eagles in a five-point win over West Hoke. See more photos and related article on page 7A.

### This Week



Townsend honored for life of service

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Dr. Smith to head physicians' group

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Eight athletes make all-conference

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Coat campaign is ongoing

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Hoke's top stories are on the web; send us stories, subscribe

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## Partnership with Fort Bragg emerging from buffer plan

### Hoke group says grants, park, roads, money for schools being explored in negotiations

By VICTORIANA SUMMERS  
Staff writer

Because of the efforts of the Hoke Preservation Program, the controversial Fort Bragg/Pope Air Force Base Joint Land Use study could be transformed into a separate, local partnering initiative with Fort Bragg officials.

Consisting of community leaders and local volunteers, the Hoke Preservation group is studying ways to improve land use and other opportunities for residents.

"We are in direct negotiations with

Fort Bragg officials," Raeford attorney William Fields, a member of Hoke Preservation, told county commissions on Monday night. "The discussions are going well, and they are opening up a whole lot of possibilities."

"Fort Bragg officials have applied for a \$2.5 million grant for Hoke County, which would help to create a park system in the western part of the county with public access for hiking and hunting," he said.

"There could also be a \$500,000 grant to fund a land use study for Hoke."

According to Fields, the land use study

would not be limited to use of Hoke land to protect military training. It would provide a method for Hoke officials to perceive where development is occurring and the infrastructure that is needed to sustain it. It would be also a means of coexisting with Fort Bragg, he added.

"Colonel Al Aycock, U.S. Army garrison commander at Fort Bragg is helping us to obtain these potential grants," Fields said. "However, there are still no concrete plans yet."

Commissioners will hold a special meeting on January 5 at 6 p.m. for the

public to hear additional updates on the local joint land use preservation projects. Fields will serve as the keynote speaker at the event.

The original, regional JLU plan prepared by the N.C. Department of Commerce is expanding. It will include individual plans from surrounding counties who opposed some of the restrictions on land use. One of the most debated issues was the proposal of JLU that would limit one dwelling per 19 acres, affecting almost 21,000 acres of land in western (See PARTNERSHIP, page 3A)

## N.C. Bar sets trial date, seeks to disbar lawyer

### Southerland denies allegations of misconduct

By VICTORIANA SUMMERS  
Staff writer

The N.C. State Bar is pressing for disbarment of Raeford attorney Harry Southerland. The organization filed allegations of misconduct against him, according to Root Edmonson, legal counsel for the Bar.

Edmonson said a trial date was scheduled last week for February 20 after Bar officials completed an extensive investigation on Southerland. At issue is whether Southerland's conduct as an attorney reflected "adversely on his honesty, trustworthiness, or fitness" as claimed by the state agency. Southerland indicated he has not done anything improper and requested the complaint be dismissed.

Edmonson filed the complaint against Southerland on October 8.

The State Bar regulates the professional conduct and ethics of lawyers who are licensed by the agency. Appointed by the organization, a disciplinary commission consisting of Southerland's legal peers will preside over the hearing in February.

"I will serve as the prosecutor at the trial, which will be held in Raleigh in the courtroom of the N.C. State Bar," Edmonson said. "My objective will be to seek Mr. Southerland's disbarment as a lawyer. This will be the only hearing held."

"It will determine whether he (See NC BAR, page 7A)



Harry Southerland



Sgt. George Vera and Sgt. Major Richard Holman observe Lake Rim firefighter John Gerber extricate a parachute from the tree tops at Raeford Aviation.

## Winds sweep skydivers into treetops

### Military jumpers not hurt

By VICTORIANA SUMMERS  
Staff writer

The dragon, the popular name dubbed for the unpredictable wind at Raeford Aviation, struck on Monday morning at the airport. Three military skydivers performing a routine training exercise were swept into trees on both sides of the Raeford airport, but no injuries occurred.

A quick response from the Tylertown Volunteer Fire Department, Hoke Rescue Squad, medics from FirstHealth EMS, and the Lake Rim Volunteer Fire Department in Cumberland County contributed to the successful rescue mission, according to Captain John Chaplin of the Tylertown fire unit.

"There were two men and one female who got caught in the trees, but no one was hurt," Chaplin said. "This happens quite frequently so it is not unusual."

(See SKYDIVERS, page 6A)