

## PRICES MAY BUILD PRIVATE HOME

# Bird Island's Not On Market, Says Owner

BY SUSAN USHER

Bird Island lies just south of Sunset Beach on the North Carolina-South Carolina state line, it's old, established dunes both beautiful and desolate. The tidal marshes, Mad Inlet Creek and clean beachfront lure wildlife, fishermen and shell collectors throughout the four seasons.

Around this island of quiet, however, have stirred years of controversy and rumor. Most recently rumor held that its absentee owners plan to sell the island to an out-of-state developer. At a Labor Day weekend meeting of the Sunset Beach Taxpayers Association, a spokesman advised members that he understood the owners were having the island surveyed with the idea of selling it for development.

In a recent telephone interview, the owner of the island, Mrs. Ralph C. (Janie) Price of Greensboro, said there was no truth to the latest of these rumors. She and her husband had owned the island jointly until last year, when he gave her his half to do with as she chooses.

"Before they get overly concerned, the people in Sunset Beach should check with us on what we plan to do. No one has bothered to do that until you called."

"At the present time we're not considering any offers," she said. "We're thinking in terms of building a house there."

Mrs. Price said she doesn't understand the intensity of local interest in Bird Island.

"They are property owners, we are property owners; we have some rights, too."

### Approached by Buyers

The Prices were approached in the fall, unsolicited, by an out-of-state man with earnest money in one hand and an offer to buy the island in the other. "He said he loved the island and didn't want to develop it. Didn't need any permits. He was going to utilize it only for good, he told us. But then we learned he was checking to see what he could do with the island

once he bought it.

"That deal has fallen through." The would-be buyer was the latest in a series, including at least one group of South Brunswick Islands developers.

John McCarthy, president of the Sunset Beach Taxpayers Association, said that the organization has no official position for or against development of the island.

### Traffic A Concern

"We would be concerned about the ecological questions and the increased congestion on Sunset Beach—access would pretty much have to be from Sunset."

If the Prices were granted access to the island for their own use, he said, "I don't think there would be anyone who would object to that. I don't think that would be a problem."

### Access Critical

As it would be for any developer, the Price's decision on whether to build a home on the island hinges upon vehicular access.

In the late 1960s the island's only dock was floated away, its only bridge to the mainland burned. The insurance company proved arson was the cause. "I sometimes wonder if we would even be welcome. We've not stayed overnight since then," noted Mrs. Price.

Her agent has learned that the couple may be able to get their original permits reinstated to rebuild the dock and bridge for their personal use. "For us it's like getting a driveway permit," she pointed out.

Charles Hollis, chief of the regulatory branch of the U.S. Army Corps of Engineers Wilmington office acknowledged the possibility: "We're not close-minded on accepting applications for some manner of access," he said. "It wouldn't be a simple task to gain vehicular access, but it can be done. In my opinion it wouldn't be unfeasible."

### Cost Prohibitive

But the cost today may be too prohibitive for one family to absorb. The Prices are considering allowing

development of several homes on the island for that reason. If so, the level of density would still be much less than anywhere on the Sunset Beach mainland, she added.

Architects had earlier drawn up two sets of house plans for the Prices, neither satisfactory. At about the same time, 1979-80, the Prices became embroiled with the U.S. Army Corps of Engineers Charleston District office over the condemnation of 26 acres of the island to accommodate construction of the Little River Inlet Jetty, which was completed in 1983.

On their attorney's advice, the Prices refused to consider any purchase offers and also delayed construction of their own home until the litigation was resolved—in 1983—in the state and federal courts.

"We fought a lonely battle. It didn't work out. People need to be aware that every decision made affects every other."

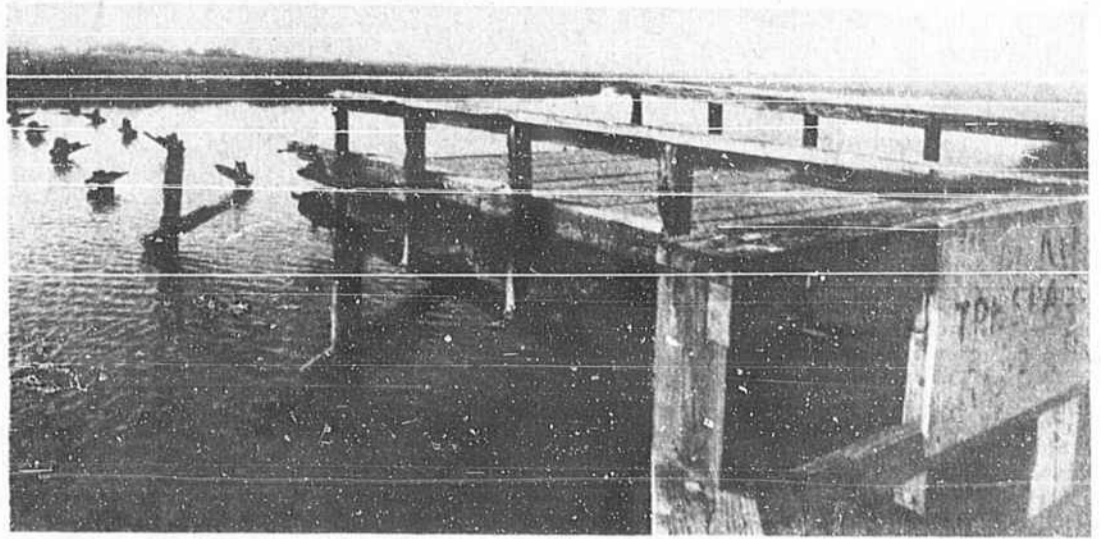
Because of the potential threat by wave action to fish and shellfish, she added, "we never wanted the jetty at the end of the island." Twenty-six acres, however, were condemned against their wishes for the project, with the price of \$100 to \$1,000 an acre negotiated through the courts. The jetty stabilization project, a joint effort of North Carolina, South Carolina, the federal government and Brunswick and Horry counties, was intended to boost the ailing commercial fishing industry, and included the dredging of part of the Calabash River at federal expense.

### 'Conservation-Minded'

"Our record is on the side of conservation and preservation of the environment," she continued. "We put our money behind what we believe in."

While some Sunset Beach property owners are concerned about Bird's Island's potential development, she noted, others in the same community would like to develop the island themselves.

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A NARROW, private bridge that once provided access to Bird Island from Sunset Beach was destroyed by fire

a number of years ago; the insurance company proved it was arson.

# Hospital Officials Postpone Filing For Ruling On Lease

BY TERRY POPE

Brunswick Hospital authorities will not seek a declaratory judgment involving its lease agreement with Hospital Corporation of America during the Jan. 21 session of Brunswick County Superior Court, said Hospital Administrator Charles Sons.

"It will not be filed for the January docket," Sons said. "It is in limbo at this point in time." The hospital authority voted unanimously in November to file a declaratory judgment during the Jan. 21 session of Superior Court. It is seeking a legal interpretation of whether or not the hospital's 10-year lease agreement with HCA automatically converted to a 40-year lease during an apparent absence of restrictive legislation in June.

The judgment, to be filed by Shalotte attorney Mark Lewis, will also attempt to clear up the issue of who or when the hospital's general obligation bonds should be paid. Sons said the judgment is not asking for a judge to rule that the county is solely responsible for repayment of the bonds. Of the original \$2.5 million used to construct and equip the hospital, approximately \$1.9 million are outstanding.

"I personally, nor the hospital authority, nor HCA, has any intention of Brunswick County being caught holding the bag," Sons said. "The judgment is to simply clarify unanswered questions about our contract because of that window that was opened in legislation."

The lease extension may have gone into effect in late June, when a state house bill governing hospital leases expired as scheduled, but before a replacement bill (House Bill 1709) actually became law. A clause in the lease agreement signed by the

authority in May called for extension of the lease to 40 years at the earliest opportunity allowed by law.

Sons said the declaratory judgment will ask a judge to rule whether or not by law the authority has a 40-year lease with HCA. If HCA does have a 40-year lease, then the question is, "Do the bonds have to be paid off?" Sons said. "We are asking that they tell us the bonds do not have to be paid off."

The intent of the lease agreement signed with the authority in May was to eventually maintain a 40-year lease, Sons said. An absence of legislation "triggered that simple clause" that was placed in the lease agreement calling for a 40-year lease at the earliest opportunity allowed by law, he said.

Sons refuted claims that HCA attorneys are attempting to seek the 40-year extension through a legal loophole, or that a legal loophole ever existed regarding the bills before the legislature in June.

"That's not the case at all," Sons said. "We had no idea what the legislators would do. When we signed the contract in May, we didn't know what was going to happen in June." At this point, there are no tax dollars being spent to operate the hospital, Sons said. Since the lease was signed, HCA has added more than \$650,000 in new equipment to the hospital, and has recently been granted the Cardinal Health Agency System's approval to begin a \$2.7 million expansion and renovation project at the 60-bed facility. HCA officials are still awaiting the state's approval to begin the project.

Since the original bonds continue to serve their purpose, to build and equip the hospital, it is HCA's "feeling that they shouldn't have to be paid off," Sons said. "We don't want

anyone to construe that we're trying to put the burden on the county."

When the authority agreed to seek the declaratory judgment, they also invited the county or other parties to join the complaint, or to file against the authority to have the matter cleared up once and for all. In a letter dated Nov. 20 to Authority Chairman Robert Sellers, the county commissioners labeled the goals of the authority and the county as "somewhat inconsistent."

Through their attorney, David Clegg, commissioners also stated in the letter they would not join with the authority on the "question of retroactivity and may seek to intervene in any suit to put forward its position on that question."

According to Sons, the judgment will not ask for the lease to fall under the new HB 1709, which gives authorities power to set the length of hospital leases, since legislation cannot be retroactive.

HCA will operate under a 10-year lease if necessary, Sons said. If a judge rules in favor of paying the bonds, the funds would be obtained from either higher hospital rates or county taxes, he said.

Even if HCA had purchased the hospital and been held responsible for paying off the \$1.9 million bonds, that \$1.9 million would have come from increased hospital rates, he added.

"There's no such thing as a free lunch," Sons said. HCA's costs will be added back to the hospital's rate structures, which is why the authority decided to lease the facility for only \$1 a year, he added.

"At the time, the question was, 'Do you want money out of the hospital, or money into the hospital?'" he said.

# 11 Killed On County Highways Last Year

As of Monday afternoon, there had been no serious highway accidents reported in Brunswick County throughout the holiday season, said Ruby Oakley, a State Highway Patrol spokesperson.

"We feel real fortunate that we've had no serious injuries for the entire district," Ms. Oakley said.

However, the 11 deaths on county highways for the year ended at two

above last year's figure, she said.

Of those fatalities, seven were reported to be directly related to alcohol use, she said. For the year, 10 fatal accidents were reported for the county with one accident resulting in a double-fatality.

Nine deaths were recorded in accidents on Brunswick County highways in 1983, four below the 13 recorded in 1982.

Of the nine deaths recorded in 1983, only two of those were directly related to alcohol use, Ms. Oakley said.

"We did not have a good count on alcohol-related deaths last year (for 1983 statistics)," she said. "The only ones we knew for sure were the two because of the way the reports were sent in last year."

# Microwaves And TVs Stolen From Sears

Shalotte police are investigating the early-morning break-in Monday of the Sears store in Milliken Shopping Plaza on N.C. 130.

Forced entry was gained through the rear of the store between 4 a.m. and 7 a.m., Chief Wayne Campbell said.

The thieves took five 19-inch Sears

color televisions and one 12-inch color Sears television and four Kenmore microwave ovens.

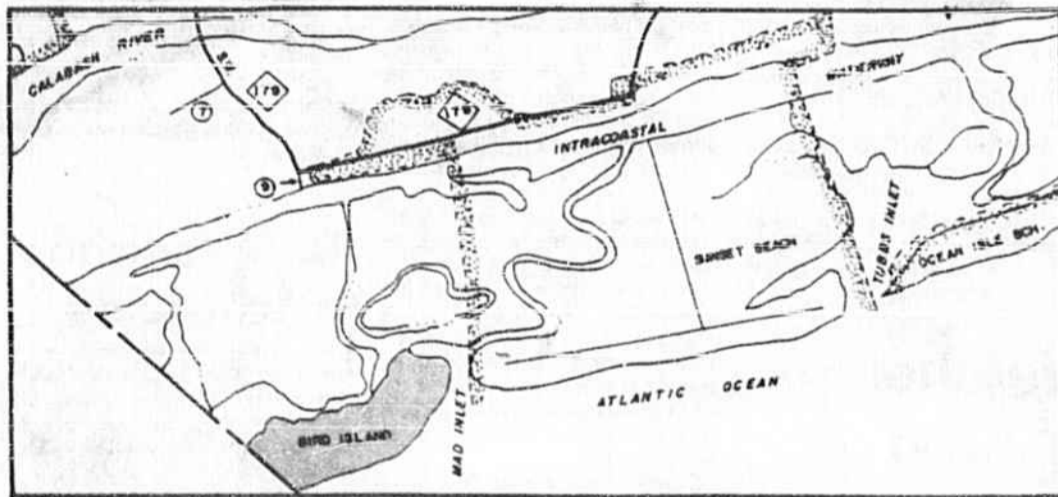
Shalotte officers are working with other area law officers to pursue evidence in the case.

In addition to working with the sheriff's department on some joint investigations, officers responded to

three minor traffic accidents that occurred Monday afternoon within a 15-minute time period.

The rash of activity Monday followed what Chief Campbell called "a too quiet" week.

"It was an unusually quiet time," he said. "We had no wrecks, no funs. It was too quiet."



# One House Guttled In Rash Of Fires

Fire destroyed a rental home on N.C. 904 across from Old Shalotte Baptist Church near Grissetown late last Wednesday night.

No one was injured in the blaze, the third fire reported in the same neighborhood since nightfall that day, according to Shalotte and Waccamaw firefighters on the scene.

Brunswick County Fire Marshal Cecil Logan is investigating the fires, said Sgt. Donnell Marlowe of the Brunswick County Sheriff's Department. Marlowe spotted the house fire at about 11:15 p.m. while en route to Seaside in response to a disturbance call.

"It had just started. Flames were visible inside and you could see smoke," he said. But when he attempted to see if anyone was trapped inside, the fire was too hot. By the time firefighters arrived, most of the small tin-roofed, wood-sided house was involved. The house is owned by Johnny Richardson, who lives nearby but who did not hear the deputy's siren.

Mary Smith, an occupant of the house, said she had left about 10 p.m. to go coon hunting with friends. She and one companion had returned home on foot to get her car after their truck wouldn't start, she added. Ms. Smith said she had moved in with her

son about one week earlier after her Calabash residence burned.

Shalotte Fire Chief Curman Arnold said Shalotte firefighters outh a fire at the edge of a field near the church sometime after dark Wednesday.

Waccamaw also provided mutual aid to Shalotte at the house fire.



MARY SMITH (far right) watches Wednesday night as firefighters douse flames that destroyed the rental home she shared with her son.