

Trojans Take On Fairmont Here Friday, 9-B

Occupancy Tax Coming At Holden? Page 9-A



Kids Have Fishin' Day!

Cameron Kinlaw, one of 31 youngsters who fished in a Kids Day sponsored Saturday by the Brunswick Bassmasters Club, shows member Dennis Nealy the half-ounce brim that shared the prize for the smallest fish caught. More pictures and the story on are Page 9-C.

THE BRUNSWICK BEACON

HOAG & SONS BOOK BINDERY
12/31/99
PO BOX 162
SPRINGPORT MI 49284

Twenty-sixth Year, Number 48

Shalotte, North Carolina, Thursday, October 6, 1988

25c Per Copy

34 Pages, 3 Sections, Plus Inserts

District Attorney Will Ask Death Penalty In Murder Trial Set To Begin Monday

BY RAHN ADAMS

The final chapter in what authorities believe was a double murder case linking Wilmington and Grissetown will be written beginning next week in Bolivia, as an Ash man—already sentenced to die for the first murder—goes on trial for the second slaying.

Jury selection in the first-degree murder trial of Rayford Clayton Piver, 43, of Route 1, Ash, is scheduled to begin Monday during a special session of Brunswick County Superior Court. Judge Henry V. Barnette Jr. will preside.

Piver is accused of the Oct. 6, 1987, shooting death of 31-year-old Wilmington resident Michael Baker, whose body was found near U.S. 17 at Grissetown within hours after Piver shot and killed 32-year-old Nick Patelos outside a Wilmington bar. Both victims were Wilmington residents.

In March, Piver was convicted of first-degree murder in the Wilmington case. At the close of the two-week trial in New Hanover County Superior Court, jurors deliberated for nearly 5½ hours before they decided that Piver should die for Patelos' murder.

Judge Bradford Tilley set Piver's execution date for May 20. However, as with any death sentence, the case was automatically appealed to the N.C. Supreme Court. Local defense attorney Michael Ramos said Monday that the appeal is still pending.

Piver is represented in the Brunswick County trial by Ramos and Rex Gore. Assistant District Attorneys Napoleon Barefoot Jr. and Tommy Hicks will prosecute the case, according to District Attorney Michael Easley.

"The state will be seeking the death penalty in this case," Easley said Monday. He added that the trial should last approximately two weeks, with jury selection expected to take about half of that time because questioning is more extensive in a capital case.

The prosecution's use of evidence from the New Hanover County trial will depend on how Barnette ruled on "evidentiary questions" raised by the defense, Easley said.

"It's not going to make it (Piver's defense) any easier," Ramos said of the defendant's conviction in the first murder. "That gives the state one more aggravating factor under the statute."

Testimony concerning the Baker murder was used against Piver in the Wilmington case, as prosecutors attempted to show that the two killings were related. Brunswick County lawmen including Det. Sgt. David Crocker, who arrested Piver following the murders, testified in the New Hanover County trial in March.

Both Easley and Ramos said they do not feel selection of an impartial jury will be difficult despite publicity of the murders and the New Hanover County trial. A defense motion for change of venue in the Brunswick County trial was withdrawn several months ago.

"Logistically, that (moving the trial) would put a big burden on us," Ramos said. "You have to weigh that against the benefits you might get."

Ramos said he feels prospective jurors probably don't remember details of the case, even though they might have read or heard about the local murder after it occurred last October. Easley also noted that prospective jurors who were exposed to accounts of the local murder still could be chosen as long as they haven't formed an opinion on Piver's guilt or innocence.

The district attorney's office initially planned to hold the murder trial during the summer. However, local prosecutors decided to wait for an interpretation of a recent U.S. Supreme Court decision before scheduling the trial.

Easley explained that the high court ruling involved judges' instructions to jurors in capital cases. About three weeks ago, the N.C. Supreme

Court determined that no changes are necessary in the state's current handling of murder cases for it to comply with the federal ruling, Easley said.

Piver's death sentence in the New Hanover County trial came only eight months after his release on July 7, 1987, from the N.C. Department of Corrections on a 1973 murder conviction.

According to court records in Brunswick and New Hanover counties, Piver was given a 30-year prison sentence after he was convicted of armed robbery and second-degree murder charges in connection with the May 1972 shooting death of Bobby Hamilton, a Wilmington service station attendant whose body was found in Brunswick County.



STAFF PHOTO BY DOUG RUTTER

VARNAMTOWN MAYOR TRACIE VARNUM takes the oath of office last Thursday from Brunswick County Clerk of Court Diana Morgan.

BOARD TAKES OATH

Varnamtown Board Starting From Scratch

BY DOUG RUTTER

"As you know, we begin our work at ground zero level. We have no money, no land and no building in which to do our work. But we have you, the good citizens of the community, and we believe we can depend on you to help us with our work."

With those reassuring words from Mayor Tracie Varnum began the story of the Town of Varnamtown—a municipality begun literally with nothing but the closeness of its people.

After gathering last Thursday in Dixon Chapel United Methodist Church fellowship hall and taking the oath of office from Brunswick County Clerk of Court Diana Morgan, the mayor and board of aldermen traveled the short distance down Varnamtown Road to the Lockwood Folly River. There about a dozen residents captured on film the community's first moments as an incorporated town.

The historic community situated on the west bank of the Lockwood Folly River near Holden Beach became a town following certification of the results of a Sept. 20 referendum. When the ballots were counted, a total of 102 voters favored incorporation while 75 opposed the idea.

In addition to Mayor Varnum, Aldermen Marion Davis, Roger Robinson, John David Dawson, Ennis Swain and Ada McDonald were installed last week as town officials.

Meeting back at the church, the board set its first official meeting for Monday, Oct. 10, at 7:30 p.m. in Gospel Center Baptist Church. Board members also agreed they will probably have to meet twice a month for the first few months and possibly switch to one meeting per month once things are running smoothly.

While no action was taken last week, aldermen gave every indication they plan to take an active role in helping to save the local shellfishing industry which has recently taken a turn for the worse.

In August, the state closed 153 acres of the Lockwood Folly River to shellfishing because of high counts of fecal coliform bacteria in the water. A proposed marina to be situated near one of the best oyster and

(See VARNAMTOWN, Page 2-A)

Vacationers At Sunset Beach Will Pay Room Tax Next Year

BY SUSAN USHER

Vacationers at Sunset Beach will pay an extra 3 percent on their room bills starting Jan. 1, the equivalent of an extra \$15 for a cottage that rents for \$500 a week.

Following a public hearing Monday night the town council agreed unanimously to levy a 3 percent accommodations tax effective Jan. 1. The only discussion during the hearing was among council members.

It was on Al Odom's motion that the town became the third in Brunswick County to levy the tax, joining Ocean Isle Beach and Yaupon Beach.

Details of how the occupancy tax is to be administered will be worked out during the next several months and the town attorney will draw up a formal resolution reflecting the board's position.

Under local legislation adopted by the N.C. General Assembly last summer, the room tax will apply to the gross receipts derived from renting any type of lodging now subject to the state sales tax and rental of houses and cottages, even if they are rented for less than 15 days. Operators of the businesses will be required to collect the tax for the town, remitting it monthly.

However, most of the discussion among council members Monday night centered on how the revenue generated by the tax should be used, not how to collect it.

A brief, but sharp, exchange between two members began when Councilman Ed Gore said he thought the town should specify how the money would be used before adopting the tax.

"It needs to go entirely toward promoting tourism and for the people who will use those units," he said, suggesting that too little of the funds collected by neighboring Ocean Isle Beach are used for tourism.

"That's not right," he added after Ocean Isle's ac-

commodations tax budget was reviewed. "That may be what they do, but it could be challenged."

Councilwoman Minnie Hunt attempted to point out that tourism is boosted by provision of adequate police protection and other services. However, Gore interrupted twice, saying "That's just coloring it." Refusing to let her finish, he continued, "I already know what you're going to say."

She replied shortly, "Then I guess I don't need to say it since you already know everything I'm going to say, Mr. Gore."

Members generally agreed the tax should be used to support tourism and the town's ability to serve tourists, with Kathy H. Peed agreeing with Gore that Ocean Isle Beach "may be stretching the use of it."

Sunset Beach anticipates receiving approximately \$70,000 in room taxes during the coming calendar year, Mayor Mason Barber said, and use of the funds will be identified in the budgets.

As town attorney Michael Isenberg pointed out, the local bill providing for the tax spells out how it can be used, that is, only for "tourism-related expenditures." These include the "criminal justice system, fire protection, public facilities and utilities, health facilities, solid waste and sewage treatment and the control and repair of waterfront erosion."

The funds cannot be used for services normally provided by the town on behalf of its citizens "unless these services promote tourism and enlarge its economic benefits by enhancing the ability of the town to attract and provide for tourists."

A fourth Brunswick County community, Holden Beach, is considering levying the tax starting March 1.

REGISTRATION ENDS OCT. 10

County Anticipates 27,000-Plus Qualified Voters

BY SUSAN USHER

Voter registration is expected to top 27,000 for the Nov. 8 general election by the time the books close on Monday, Oct. 10.

As of Sept. 20, there were 26,709 people registered to vote, according to Brunswick County Board of Elections Supervisor Lynda Britt, up approximately 500 since the Presidential Primary last spring.

"Even with the cancellations I'm quite sure we're going to have over 27,000 by the deadline," she said.

Last week employees pulled approximately 100 names from the rolls because of deaths or commissions of a felony. During the same time period, 400 registrations were added. "There's been a lot of them," said Britt.

In these latest registrations, she said no trends were noticeable. "It's a fairly even mixture."

Of the 25,322 registered as of April with one major party or another, 17,182 were registered as Democrats and 8,140 as Republicans.

The books are open now for more than registrations. Persons who have moved and not transferred their registration to the new precinct will have to go to the Board of Elections office in Bolivia to vote.

Changes of address within the same precinct, changes of names or changes in party affiliation can

also be filed with the Brunswick County Board of Elections.

Would-be voters can register or make other changes at the Board of Elections office or driver's license examiner's office at the Government Center in Bolivia, or at any branch of the Brunswick County Library until closing time Monday, or with precinct officials or any of approximately 30 special registration commissioners who live throughout the county "any time you can find them" through midnight Monday.

The forms have to either be in the Board of Elections office by Tuesday or postmarked that day.

To register to vote in Brunswick County and to cancel registration elsewhere, a voter needs to have available information on the state, county and precinct where they most recently voted, as well as the county and state of their birth.

"Very few people know what precinct they voted in," pointed out Marcus Mintz, who handles voter registration at the West Brunswick Branch Library. However, they can still register without that specific information.

Youths who are age 17 but will be 18 by the date of the election are eligible to register.

(See 27,000-PLUS, Page 2-A)



STAFF PHOTO BY SUSAN USHER

VIC SARTELLE (left) of Brierwood Estates, Shalotte, formerly of Horry County, S.C., registers to vote in the Nov. 8 election, his first in Brunswick County. Helping with the paperwork at the West Brunswick Branch

Library is Marcus Mintz. Sartelle's wife, Susanne, and nephew, Trey Dusenbury, also signed up at the same time.