

Sunset Beach Resident Threatens Lawsuit Over Jet Ski Regulation

BY DOUG RUTTER

An earlier action taken to protect swimmers and surfers from jet ski operators may now have the Town of Sunset Beach in hot water.

Following a threat of legal action by a town citizen, Sunset Beach officials are now reviewing a recently-adopted ordinance regulating the use of jet skis in waters surrounding the island.

Town council will take up the issue at its March 6 meeting after reviewing the jet ski ordinance and the state law which provided for it. The threat of legal action was briefly discussed at the council's February meeting.

Henry Satterwhite, who owns property on Bay Street near Mad Inlet, has threatened to file a lawsuit because of the limitations on jet skis, according to Sunset Beach Mayor Mason Barber. Satterwhite could not be reached for comment last week at his homes in Sunset Beach or Charlotte.

First adopted last October and amended to its present form on Jan. 9, the ordinance prohibits the operation of a jet ski or similar device within 300 yards of the shoreline or any pier while the motor is running.

The restriction applies in the Atlantic Ocean adja-

cent to Sunset Beach as well as Tubbs Inlet, Tubbs Bay and Mad Inlet between the hours of 7 a.m. and 5 p.m. from April 1 through Sept. 30 of each year.

Violation of the ordinance is a misdemeanor punishable as provided by state statute and also carries with it a \$25 fine payable within 72 hours of the issuance of a citation.

Lawmen and rescue personnel are exempt from the ordinance while engaged in law enforcement or ocean rescue.

In a letter to Mayor Barber dated Dec. 13, 1988, Satterwhite requested that the ordinance be revoked or amended so that it does not discriminate against jet ski operators.

Arguing that a jet ski is classified and licensed by the state as a Class A inboard motorboat and is approved for use by the U.S. Coast Guard, Satterwhite said regulating jet skis and not other motorboats is illegal.

"I believe this ordinance to be capricious, arbitrary, discriminatory and probably illegal," he wrote, adding that he intended to "pursue the issue."

Satterwhite, who wrote that he lives at the beach about 10 months of the year, stated near the close of his

three-page letter, "I hope we don't lose sight of the reason for this whole area's existence. This area exists as a recreational area and a great many of the permanent residents' income is based on this fact."



A YOUNG JET SKIER enjoys wet action in the Atlantic Intracoastal Waterway near Ocean Isle Beach last summer.

Mayor Barber said last week that he has had several conversations with Satterwhite since receiving the letter. "He's beginning to look like he's gonna take legal action," he told council.

According to the town attorney, there are problems with the existing ordinance, but those problems have nothing to do with it singling out operators of jet skis. Attorney Mike Isenberg said the ordinance does have problems with respect to the state legislation which allowed the town to regulate jet skiing.

He did not go into further detail last week and could not be reached at his office for further comment. There was no copy of the state legislation on file at town hall.

Council members indicated last week that the town may have gone too far in regulating jet skis in the inlets, but reached no consensus on whether the ordinance needs to be revised or killed.

Several members said the original intention of the ordinance was to protect surfers and swimmers in the ocean and hinted that tough restrictions may not be needed elsewhere. Mayor Barber said, "I think the intent along the beach was certainly a valid intent."

Councilwoman Mary Katherine Griffith said, "I really don't see the town going to court over it."

THE BRUNSWICK BEACON

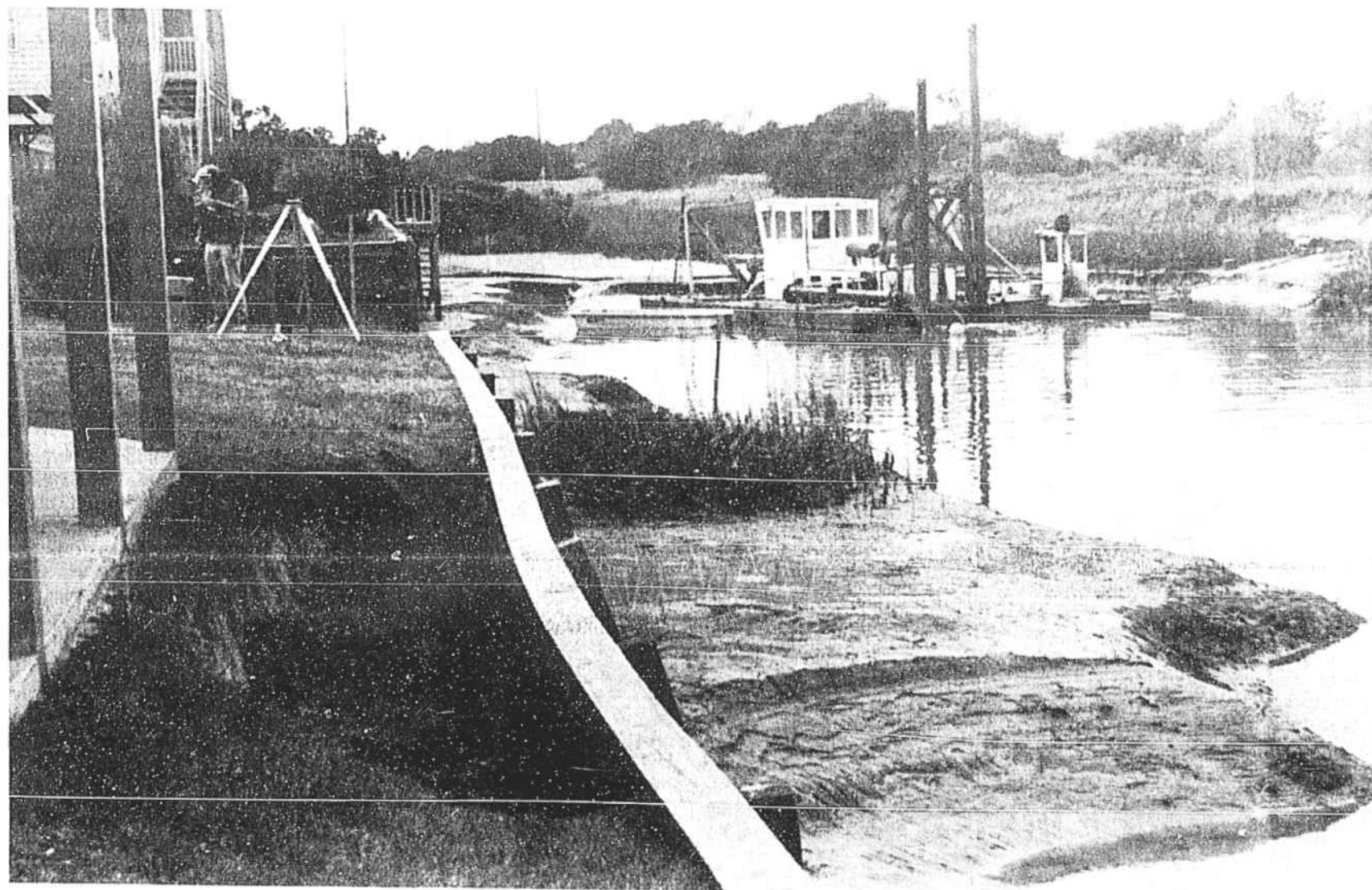
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STAFF PHOTO BY DOUG RUTTER

Dredging Causes Damage

Dredging contractors made good progress last week in the four finger canals at Sunset Beach, but not without causing some minor property damage at the end of Sailfish Street. A section of bulkhead was apparently struck by dredging equipment, causing some land to cave in on property owned by Jim

Vogler. The landowner said the accident happened last Monday while he was out of town, but that the contractor, Marcel Dredging Company of North Charleston, S.C., has agreed to repair the bulkhead and refill the lot. Vogler also said the dredging project has greatly improved the canals.

'White Tide' Defendant Gets Four-Year Sentence

A Florida man pleaded guilty to cocaine trafficking charges and received a four-year prison sentence last week in Brunswick County Superior Court.

Lane Irvin Carter, 38, of Lawley, Fla., entered the guilty pleas last Wednesday to two counts of conspiracy to traffic in more than 400 grams of cocaine, according to the Brunswick County Clerk of Court's office.

Carter was one of 48 defendants indicted on drug trafficking charges last April by a Brunswick County investigative grand jury in "Operation White Tide."

Following a brief sentencing hearing last Wednesday, Judge Samuel E. Britt found that Carter had provided "substantial assistance" to state investigators. That finding allowed the judge to impose a lesser sentence than the mandatory minimum sentence of 35 years in prison and a \$250,000 fine per count.

Britt also ordered that the four-year term run concurrently with an eight-year sentence Carter is now serving in a Florida federal prison. Court records show that Carter had served about 2½ months of the federal term prior to his sentencing here.

In another drug-related case heard last week, Ronnie Eley Ballard, 35, of Route 1, Leland, received a three-year prison sentence on Feb. 6 after he pleaded guilty to possession with intent to sell cocaine, according to the clerk of court's office.

Court records indicate that three other cocaine and marijuana possession charges against Ballard were dismissed as part of a plea agreement. He received the presumptive three-year sentence on the single cocaine count; the possible maximum sentence was 10 years in prison.

Arrest warrants on file at the clerk of court's office show that Ballard was arrested Nov. 20, 1987, following an undercover investigation by N.C. Alcohol Law Enforcement agents at LTD Lounge. He was indicted Dec. 12, 1988, by a Brunswick County grand jury.

Also during the Feb. 6 through 8 term of Brunswick County Superior Court, Judge Britt heard the following cases:

•Audie H. Ganey, guilty plea, hun-

ting after hours, 30-day jail term, suspended two years, \$50 fine, court costs, surrender N.C. hunting license and not possess one for two years.

•Phillip Warren Harrell, guilty plea, hunting after hours, 30-day jail term, suspended two years, \$50 fine, court costs, surrender N.C. hunting license and not possess one for two years.

•Sheila Harrell, guilty plea, hunting after hours, 30-day jail term, suspended for two years, \$50 fine, court costs, surrender N.C. hunting license and not possess one for two years.

•Adnell Junior Hunt, guilty plea, hunting after hours, 30-day jail term, suspended for two years, \$50 fine, court costs, surrender N.C. hunting license and not possess one for two years.

•Rudy B. Benton Jr., guilty plea, hunting after hours, 30-day jail term, suspended for two years, \$50 fine, court costs, surrender N.C. hunting license and not possess one for two years.

•Marc Dalton Causey, guilty plea, embezzlement, suspended three-year prison sentence, three years of supervised probation, court costs, \$12,931.12 in restitution to Thomas Supply Company.

•Robert Hicks, guilty plea, possession with intent to sell or deliver a controlled substance, suspended three-year sentence, supervised probation, \$300 fine, court costs, \$300 attorney fees.

•Michael Brown, guilty pleas, four counts of breaking and entering, four counts of larceny, three-year prison term, work release recommended on condition that \$5,645.79 be paid to the four prosecuting witnesses.

•David Keith Linville, not guilty plea, found guilty, driving while impaired, level five, 30-day jail term, suspended two years, unsupervised probation, \$100 fine, court costs, ADETS, surrender N.C. driver's license.

•James Lacy Dowless, guilty plea, leaving the scene of an accident, suspended one-year prison term, two years of unsupervised probation, \$500 fine, court costs, \$250 attorney fees.

•Seward V. Walters Jr., guilty pleas, reckless operation, hit and run with property damage, 30-day jail

(See DEFENDANT, Page 2-A)

Local Woman Dies In Wreck On U.S. 17 Near Winnabow

A Bolivia woman was killed and three other motorists were injured last week in a three-car collision on U.S. 17 in the Winnabow area.

Beatrice K. Johnson, 61, of Route 2, Bolivia, was pronounced dead at the scene of the mishap last Thursday morning, according to Brunswick County Coroner Greg White. Cause of death was multiple injuries suffered in the collision, he said.

Mrs. Johnson was well known in

her community as an extension homemaker. Last fall she was elected secretary of the Brunswick County Extension Homemakers Association and was nominated for the Club Member of the Year Award.

Her death was the third fatality on Brunswick County highways and the second to occur on U.S. 17 this year. By this same time in 1988, no traffic fatalities had occurred in the county.

According to N.C. Highway Patrol Trooper B.C. Jones, the fatal accident happened last Thursday at 5:55 a.m. near the intersection of U.S. 17 and N.C. 87 at Bishop.

A 1972 Pontiac driven by Mrs.

Johnson's husband, 63-year-old Ulysses A. Johnson, was headed north on U.S. 17, then turned left across the median and southbound lanes toward N.C. 87 into the path of a 1982 Oldsmobile driven by Josephine A. Parker, 32, of Leland, Jones said.

He added that Parker's auto stuck the Johnson car on the right passenger's side where Mrs. Johnson was riding. After the initial collision, both vehicles skidded into a 1984 Ford that was waiting to pull onto U.S. 17 from N.C. 87.

Johnson was seriously injured and was taken by ambulance to New Hanover Memorial Hospital in Wilmington, where he was listed in fair

condition last Thursday afternoon, a hospital spokesperson said.

Ms. Parker and her two children—one-year-old Travonna Parker and 11-year-old Travenus Grainger—were treated and released from New Hanover Memorial, Jones said. The third driver—Jacqueline P. McCoy, 41, of Route 1, Reigelwood—was not injured.

Jones noted that both the Parker and Johnson vehicles were total losses. The McCoy auto sustained minor damage to its front end.

The trooper said last Thursday that charges against Johnson were pending in connection with the accident.

Indicted Official Is Suspended Without Pay

BY RAHN ADAMS

The director of Brunswick County's computer services was suspended without pay on Feb. 7, the day after she was indicted for allegedly forging a county check to obtain more than \$50,000 worth of computer equipment for her department.

County Manager John T. Smith said last Wednesday that Regina M. McKeithan would remain suspended until her criminal case is resolved. On Feb. 6, a Brunswick County grand jury indicted the 45-year-old Bolivia resident on charges of forgery and misdemeanor larceny.

"It just depends on how the charges come out," Smith said, in reference to whether or not the director would be dismissed if she is convicted.

Smith noted that county officials would consider reimbursing her pay if she is acquitted and her job suspension is found to be "in error." She was suspended without pay because, said Smith, "I look at suspension with pay as being a paid vacation."

According to documents on file in the Brunswick County Clerk of Court's office, Mrs. McKeithan appeared before a county magistrate last Wednesday and was released on

a \$1,000 unsecured bond. She is scheduled to be arraigned Feb. 27 in Brunswick County Superior Court.

The indictments allege that Mrs. McKeithan stole a county check and forged the names of Finance Director Lithia Hahn and Clerk to the Board of Commissioners Regina White (Alexander) on it. Dated May 13, 1988, the \$50,667.63 check was made payable to L&B Computers of Knightdale.

Smith said last week that the unauthorized funds apparently were used to upgrade the computer services department's equipment with both hardware and software.

The department finished the 1987-88 fiscal year about \$20,000 under its \$248,107 budget, according to the county audit. However, budgeted funds for operating expenses and contractual services were overspent by about \$19,000.

The indictments followed an SBI investigation that was requested about six months ago by Brunswick County Commissioners.

Smith said he doesn't anticipate any problems in computer services as a result of Mrs. McKeithan's suspension. The director's duties will be handled by her assistant.

Calabash Board Couldn't Meet

Calabash Town Council had to cancel its regular monthly meeting again Tuesday night when only the mayor and two council members showed up at town hall.

Because it didn't have a quorum, the board rescheduled the meeting for Tuesday, Feb. 21, at 5:30 p.m., but not before reaching an informal consensus that Councilman Ronnie Pittman should be asked to resign. He was one of three council members absent this week.

According to town records, Pittman has missed 16 meetings since taking the oath of office in December 1987. Including this week, he has been absent from seven consecutive meetings.

Mayor Doug Simmons said Tuesday that replacing Pittman on the board would help the town council, which has a history of canceled meetings due to not enough members being present. "That would give us another chance of having a quorum," he said.

To conduct any town business, at least three of the five council members must be present.

In addition to the mayor, Councilmen John High and Keith Hardee were present this week. Absent were Pittman, Landis High and Sonia Stevens.