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Holden Beach Height Limit Bill Gets Second Shot In Legislature

BY DOUG RUTTER

A bill limiting the height of buildings on Holden Beach will get a second run through the state legislature, and town officials hope it comes out right this time.

A state law approved last summer effectively limits the height of structures on the island to 35 feet, but does not include a clause requested by town commissioners that would have required a referendum of registered voters to change the restriction. As it stands now, the town board can vote to change the height limitation.

State Rep. David Redwine, who introduced the Holden Beach bill last June, said last week that he planned to amend a similar bill introduced last month for the Town of Long Beach to include Holden Beach.

The amended House Bill 927 would limit the building height in both municipalities to 35 feet and would require a referendum of town voters

to change the limitation, he said.

Redwine said the original Holden Beach bill ran into trouble last year and had to be amended when it was being considered by the Local Government Committee. The committee chairman at that time, Robert L. McAlister of Rockingham, opposed the Holden Beach proposal and all other local bills that included an initiative for a referendum of the people.

"It affected more than just mine," Redwine said. "He held up all the bills that had a referendum initiative in it." McAlister is no longer a state representative.

Holden Beach Commissioners adopted a resolution last May requesting the state legislation and were under the impression that it had passed as requested until April 7, when Town Administrator Gus Ulrich noticed that the ratified law was different from the draft.

"It was just something that happened to fall through the cracks."

—State Rep. David Redwine



Redwine admitted last week that he was at fault for not notifying town officials of the change in the bill, but said he sent a copy to the town shortly after it was ratified on June 29.

"It was just an oversight on my part," he said. "It was just something that happened to fall through the cracks."

Town officials were visibly upset about the apparent lack of communication when the matter was discussed during a special meeting last Wednesday night.

Commissioner Bob Buck called the

situation a "stunning development" and commented, "I am confident that there ain't no grass going to grow under this one."

In response to the change in the local bill by the legislative committee, Buck said, "I absolutely cannot believe that one or two individuals on some committee can just literally wipe out a resolution of this board. But that's exactly what happened."

Mayor John Tandy said he was shocked by the discovery and noted that the height limitation and referendum clause was something of which town officials were very pro-

ud. "I'm sure some people bought real estate based on that," he added.

While town officials wait for the bill to go through a second time, they indicated during last week's meeting that they have no plans to amend the existing height limitation as the board is presently authorized to do.

"This board's not going to change it," said Commissioner William Williamson. Other officials nodded in approval.

Board member Georgia Langley, who was out of town last week on a family matter and missed the meeting, said she was upset with the mayor and commissioners who were aware of the problem with the bill but did not make it public during either of the two board meetings on April 10.

She contacted The Brunswick Beacon and Wilmington Star News from her home in Raleigh after learning about the situation last Wednesday. The commissioner said the

situation might never been discussed in public had she not notified the press.

Mrs. Langley, who had pushed hard for the legislation and referendum requirement after being elected to the town board in 1987, also said she does believe that Redwine simply forgot to tell town officials that the bill had been revised.

"I do not believe it slipped his mind," she said, adding that she thinks Redwine may have failed to notify town officials as a means of avoiding controversy prior to last November's general election.

Redwine said last week he did not expect any problem getting the new height limitation bill through the General Assembly this session, but could not say when it may be acted on.

"Even when there's no controversy," he said, "it takes a while to get it through the proper channels."



BALD HEAD VILLAGE MANAGER Wallace Martin (standing) asks Brunswick County Commissioners Monday to reconsider their decision to

distribute sales tax revenue based on local municipalities' populations. Instead, they reaffirmed their previous vote.

State To Probe Davis Canal For Pollution

BY DOUG RUTTER

State officials hope to learn within the next few months if water flowing into and out of Davis Canal at Long Beach is having any impact on water quality in Lockwood Folly River.

The state Division of Environmental Management will start sampling water in and around the canal for fecal coliform bacteria, an indicator of pollution, within the next two weeks, said Don Safrit, regional supervisor of the division's water quality section.

The findings of the study should either support or reject the theory of a number of area residents who believe that Davis Canal is at least partially responsible for water quality problems in Lockwood Folly River.

Annie Smigiel of Varnamtown, president of the local conservation group Save Our Shellfish, said many locals tied to the river feel that Davis Canal is one of a number of areas contributing to pollution problems and causing frequent temporary shellfish closures in the river.

Since last August, the state Division of Health Services' shellfish sanitation branch has closed more than 650 acres of shellfish beds due to pollution.

Separate state studies conducted this year concerning water quality in the river have been contradictory, with one concluding that bacterial problems are primarily due to septic tanks and the other pinpointing stormwater runoff.

Mrs. Smigiel said the same sandbars that shellfishermen and some state officials believe are restricting water flow in the area around the mouth of Lockwood Folly River are also keeping the water in Davis Canal from flushing out pollutants. "That water just kinda stays there," she said.

Brunswick County Planning Director John Harvey said Davis Canal was an original tributary of

Lockwood Folly River before the Atlantic Intracoastal Waterway was formed. On certain tides, he said water in the canal flows into the river.

He also noted that there is high density along the canal. "It's solidly developed with houses and maybe a few condos," said Harvey.

Safrit said last week he did not know what the study would reveal. "Until we take the samples, I don't know what to expect really."

Although exact monitoring stations had not been selected as of last week, Safrit said regional water quality staff members will likely be taking samples from Davis Canal, Eastern Channel and the Atlantic Intracoastal Waterway between Davis Canal and the mouth of Lockwood Folly River.

He said samples will probably be taken from each station every two or three weeks for a period of about three months. Officials will be gathering data on water temperature and other common field measurements, but will focus on the level of fecal coliform.

"Right now, that's the parameter that everybody's concerned about," said Safrit.

Local Man Indicted On Drug Charges

A Shallotte area man who was arrested last month on marijuana charges was among five individuals indicted on various charges Monday by a Brunswick County grand jury.

Alan Kurt Greer, 38, of Route 9, Shallotte, was named in three true bills of indictment involving controlled substance charges, according to the Brunswick County Clerk of Court's office.

Greer was arrested May 31 at his Brick Landing area residence on (See JURY, Page 2-A)

Board Reaffirms Earlier Stand On New Sales Tax Distribution Method

BY RAHN ADAMS

Despite objections voiced over the past month by officials in local resort towns, Brunswick County Commissioners this week "readopted" a resolution to split state sales tax revenue among municipalities according to their populations, not their property values.

Monday's 4-1 vote—with Commissioner Benny Ludlum objecting—was a replay of the board's March 20 decision to change to a per capita method of distribution from an ad valorem method that has been used here since 1971. In doing so, Brunswick joins the ranks of 61 other of the state's 100 counties.

After the meeting, County Attorney David Clegg said he suggested that the resolution be readopted because state law requires the action to be taken during the month of April, even though the board's vote last month was for the resolution to go into effect in April. "I just wanted to make sure we were on real firm footing," Clegg told the Beacon.

During the public comments section of Monday's meeting, the tax distribution issue was a favorite topic of discussion, as Bald Head Island

"You've made something fair that's been inequitable for years."

—Bob Thorsen
Southport Alderman

Village Manager Wallace Martin, Caswell Beach Town Commissioner Bill Boyd and Southport Alderman Bob Thorsen addressed commissioners.

Decision Questioned

The county commissioners' decision to change distribution methods has officially drawn fire from officials at Bald Head Island, Ocean Isle Beach and Caswell Beach—three municipalities which stand to lose revenue from the change.

Commission Chairman Frankie Rabon said Monday the board has received letters opposing the change from Ocean Isle Beach Mayor Betty Williamson and Caswell Beach Mayor Jack-Cook. Martin personally delivered a letter from Bald Head officials Monday. Also, Rabon said he has received numerous letters of protest from property owners at Ocean Isle Beach and Bald Head Island.

Locally, the change in distribution will result in losses of approximately \$50,000 per year at Ocean Isle Beach, about \$30,000 at Holden Beach, and between \$300,000 and \$400,000 for county government itself. The revision is expected to either increase revenues or cause little change in distributions to Shallotte, Sunset Beach and Calabash.

Martin told the board Monday that Bald Head Village will lose an estimated \$95,000 under the per capita method—the largest loss of any municipality in the county. With a permanent population of less than 38, Bald Head property owners pay about \$675,000 in county taxes on a property valuation of around \$1 million, he said.

The village manager denied speculation that Bald Head is pursuing plans to secede from Brunswick County and become a part of New

Hanover County. "That's the farthest thing from anyone's mind... There's been no thought of moving up there," Martin said, although he admitted that the idea "popped up" at a recent village meeting.

Martin suggested that the county alternate between the two methods of distribution each year. "I don't think this would be an unreasonable alternative to consider," he said. Boyd agreed and encouraged the commissioners to find a "happy meeting ground."

However, Thorsen—whose town (Southport) will receive increased revenue from the change—urged the county board to stick to its decision, saying, "You've made something fair that's been inequitable for years."

Commissioner Gene Pinkerton, who initiated the change with his motion last month, reiterated that his motive was to make the distribution more fair. He added that his action was not politically motivated, since three municipalities that will lose money—Bald Head, Caswell Beach and Long Beach—are in his district. (See LONG BEACH, Page 2-A)

All Aboard Escape As Charter Boat Burns At Sea

BY DOUG RUTTER

All aboard escaped serious injury when a charter fishing boat that left the docks of Calabash Saturday morning later burned and sank, forcing its two crew members and six passengers into the Atlantic Ocean.

The seven men and one woman drifted approximately 10 hours in a small life raft before their rescue by helicopter late Saturday, according to Petty Officer James Turner of the U.S. Coast Guard in Charleston, S.C.

The "Connie D," a 50-foot vessel owned and captained by Mike Brewster of Murrells Inlet, had left Captain Jim's Marina at Calabash

early Saturday morning for an all-day fishing trip.

Shortly after 9:30 a.m., the boat's two engines shut off suddenly and the vessel caught fire. It sank about 30 miles offshore, almost due east of Myrtle Beach, said Turner.

"They don't know what caused it," he said of the fire. The incident is being investigated by the coast guard's marine safety office.

The passengers and crew, none of whom are from Brunswick County, jumped into a six-man life raft equipped with an electronic transmitter. The raft drifted approximately 11 miles north during the day.

Late in the afternoon, Turner said a signal from the transmitter was picked up by the U.S. Coast Guard, which dispatched a helicopter from Savannah, Ga.

The helicopter picked up the charter boat's six passengers at approximately 7:30 p.m. and transported them to Grand Strand Airport before refueling and returning for Brewster and his mate at about 8:45 p.m.

The only female passenger was treated for shock at Grand Strand General Hospital. All eight of those rescued suffered mild hypothermia after spending so long in the 60-degree water, said Turner.

He said the passengers and crew of the charter were fortunate that the beacon on the life raft worked properly. Without it, he said the group might have spent another day or two at sea before a search started.

"I would say they were lucky to get off the boat without being injured or burned," he added.

The "Connie D" is the second charter boat fishing out of Captain Jim's Marina in the past two years to catch fire and sink offshore.

On Oct. 10, 1987, the "Capt. Jim" burned and sank. All four crew members and 56 passengers were rescued.

Heavy Rainfall Causes Shellfishing Shut Down

Brunswick County shellfishermen remained high and dry this week after the state closed all oyster and clam beds in the five southernmost coastal counties last Tuesday due to rainfall and runoff.

Heavy rainfall early last week forced the closure of shellfish beds in the maintained channel of the Atlantic Intracoastal Waterway and all mainland creeks and tributaries in Brunswick, New Hanover, Pender, Onslow and Carteret counties.

During periods of heavy rainfall, stormwater runoff drains into the rivers and increases levels of fecal coliform bacteria, an indicator of pollution.

Bob Benton, supervisor of the state Shellfish Sanitation branch, said Tuesday afternoon that officials have been sampling water for bacteria and hope to reopen shellfish waters in the near future.

"We've not found anything yet that we can open," he said. "We have just had too much rain."

The Shallotte area received approximately 2.7 inches of rain in the seven days between last Tuesday and this Monday, according to meteorologist Jackson Canady of Shallotte Point.