

Fishing's Looking Up

Pier fishing is looking up along the South Brunswick Islands as the fall season draws near. Doris Starnes of Rock Hill, S.C., caught this flounder Tuesday. For the weekly fishing report and other fishing news, see Page 12-C.



Hugo: One Year Later

Local barrier island communities look back—and ahead—one year after Hurricane Hugo made landfall at Charleston, S.C., causing millions of dollars in damage to Brunswick County homes and beaches. The story's on Page 3-A.



Future Fireman?

Thirteen-year-old Dallas Sellers watches from the rear of a tanker as firefighters from across the state train Sunday at Supply. A story and photos on Brunswick County's second "Fire/Rescue College" is on Page 9-B.

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Suit Aims To Block Construction Of New Sunset Beach Bridge

BY SUSAN USHER

A suit filed Friday in U.S. District Court in Raleigh seeks to prevent or delay construction of a high-rise bridge at Sunset Beach.

The suit asserts that state and national policies were violated in assessment of the project's environmental impact and that a full environmental study should be completed before the project is pursued any further.

Furthermore, it claims that the court should void the six state and federal permits the N.C. Dept. of Transportation has already obtained to build the federally-funded bridge, alleging that they were based on "inadequate and inaccurate" assess-

ments of the project's impact on its community.

Federal Judge W. Earl Britt is tentatively scheduled to hold a hearing the week of Monday, Oct. 1, on the plaintiffs' request for a temporary restraining order to prevent the state from proceeding with the project.

Bids were opened Tuesday for the project and the state Board of Transportation is expected to award a contract for construction at its Oct. 5 meeting.

The project was first proposed approximately 10 years ago and has been the subject of continued controversy. Sunset Beach property owners have been divided in their views regarding replacement of the

pontoon bridge, which is the last remaining example of its kind in the state.

A hearing had first been scheduled for Monday, a civil division clerk in U.S. District Court said Tuesday, "But we didn't get to it."

In regard to the suit, Bill Jones, a spokesman for N.C. DOT, said Tuesday that the agency is "disappointed in the sense that we want to go on with the project because we think it is needed."

Plaintiffs in the suit are the Sunset Beach Taxpayers Association and Courtney J. Mullin, Minnie Kelly Hunt, William G. Hunt, Warren D. Knapp, Cletus A. Waldmiller, Kathryn McCoy, Dailey Long-

wood Canady and Albert N. Wells. All of the individuals except Canady are members of the SBTA and own property at Sunset Beach. Canady is a commercial fisherman from Longwood.

Plaintiffs are represented by Jim Maxwell and Ruth A. McKinney of the Durham law firm of Maxwell & Hutson.

State and federal transportation officials and agencies named as defendants include Samuel K. Skinner, secretary of the U.S. Dept. of Transportation; Thomas D. Larson, administrator of the Federal Highway Administration; the U.S. Dept. of Transportation; the Federal Highway Administration; Thomas J.

Harrelson, secretary, and William G. Marley, state highway administrator of the N.C. Dept. of Transportation; and the state Department of Transportation and Highway Administration.

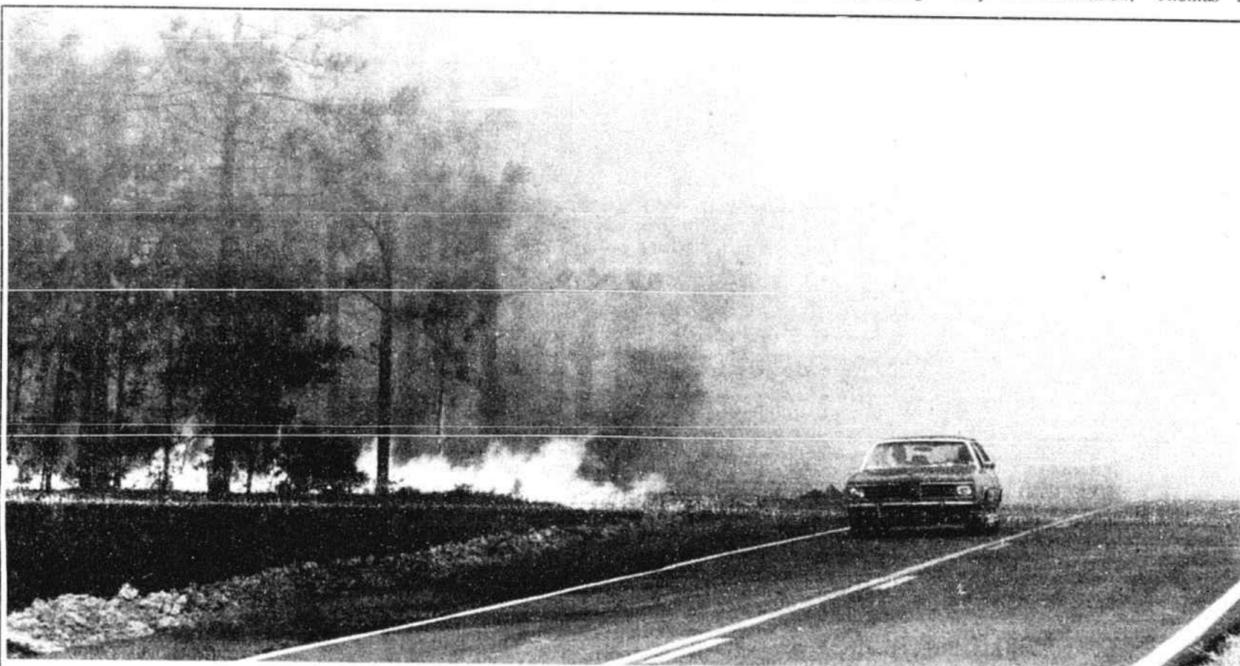
The state plans to replace a single-lane, swinging pontoon bridge on S.R. 1172 over the Intracoastal Waterway that links the island with the mainland at Sunset Beach. The proposed two-lane, high-rise bridge would have a fixed concrete span with 65 feet of vertical clearance.

Defendants claim that under state and national environmental policies, the project warranted completion of a full Environmental Impact Statement. An EIS is required any time a

project is considered a "major federal action" or is expected "to significantly affect the quality of the human environment."

In the case of the Sunset Beach Bridge, however, the state instead completed an Environmental Assessment in 1981 followed by a "Finding Of No Significant Impact" or FONSI in 1985. Defendants argue the conclusion "contradicts" DOT's own findings that the bridge may result in accelerated development on Sunset Beach, improved accessibility, increased tourism and use of existing recreational areas, and increased property values and tax base.

(See SUIT, Page 2-A)



THE RIGHT weather conditions helped this woods fire near Maco Sunday destroy 237 acres before it was contained. Poor visibility kept N.C. 87 closed for five hours.

Weather Conditions Fueled Woods Fires

BY TERRY POPE

Lower humidity levels and brisk autumn-like winds helped fuel some unexpected woods fires that kept firefighters busy throughout the night Sunday and early Monday morning in two locations in Brunswick County.

In the largest of the two fires, more than 237 acres were scorched along N.C. 87 near Maco. Another fire burned an undetermined amount of land on Makatoka Road off of N.C. 211 near Supply.

"Both fires, I believe, are the result of controlled burnings that appeared to have escaped from the paper companies," said Cecil Logan, Brunswick County emergency management coordinator, on Tuesday.

It took firefighters more than 10 hours to contain the blaze in Maco that also threatened 10 homes. None was damaged as a result of the fire and no injuries were reported.

Eight volunteer fire departments and the N.C. Forest Service worked past midnight Sunday to contain the Maco fire, which was first reported around 3:30 p.m. Six fire plows

were used to cut trenches along the edge of the fire. The last of the plows were pulled from the woods at around 5:30 a.m.

"At one time, we had four of the six plows there stuck in the mud," Logan said. "It was so wet in there."

Logan said the weather conditions now happen to be right for brush fires in Brunswick County, although spring is usually the heavy fire season for this area.

"The way the weather is, with the low humidity and the cooler days," he added, "even though the woods are wet it will still burn. People should be sure and not leave an open fire unattended."

Units from Winnabow, Bolivia, Boiling Spring Lakes, Leland, Navassa, Acme-Delco, Buckhead and Sunset Beach volunteer fire departments responded to the fire, sending 17 trucks and tankers.

The fire started on the west side of N.C. 87 and jumped the highway at two places. The road was closed to traffic for about five hours as smoke limited visibility.

"It was so hot, that it just jumped right over (highway) 87," Logan said.

Firefighters worked to save a home and auto salvage business owned by Jimmy Baggett, but the fire destroyed some of the 200 cars parked in the field next to the home. Ironically, the home they worked to save Sunday was destroyed by fire Monday night, but Logan said he believes there is no relation between the two fires.

It took two hours to contain the woods fire that broke out on Makatoka Road. Logan said several county units, including Supply, Shalotte, Civictown and Tri-Beach volunteer fire departments responded to that call around 3 p.m.

Another small brush fire was reported on Old Cedar Road near the entrance to DuPont's Cape Fear plant at Leland at about the same time Sunday afternoon. It was quickly contained by Leland volunteer firemen.

"We really didn't have a fire season in the spring," Logan said. "We were lucky, but now it looks like we're finally having our share."

State Opens Bridge Bids

An Evansville, Ind., firm is the apparent low bidder among 11 firms vying for a contract to build a high-rise, fixed-span bridge at Sunset Beach.

Barring issuance of a preliminary injunction to the contrary, the state Board of Transportation plans to award the contract for the project at its Oct. 5 meeting in Cherokee.

Traylor Brothers Inc. submitted a bid of \$8,394,819.55, which N.C. Department of Transportation spokesman Bill Jones said is .3 percent above the state's engineering estimate of \$8.37 million.

Jones said the figure is well within the acceptable range of bid for the project. However, the bids open-

ed Tuesday had not been reviewed yet for any irregularities.

Bids ranged up to the \$12.2 million figure submitted by Metric Constructors Inc. of Charlotte.

The second lowest bid, \$8,651,380.46, was submitted by The Hardaway Co. of Columbus, Ga., while the third lowest bid, \$8.69 million, was submitted by Lee Construction Co. of Charlotte.

DOT's latest cost estimate is \$11.2 million for the Sunset Beach Bridge project, including construction, engineering and right of way acquisition. The bridge would replace a swinging pontoon bridge that connects the mainland and island.

DOT Condemns Sea Trail Land In Sunset Bridge Right Of Way

The N.C. Department of Transportation has begun eminent domain proceedings against Sea Trail Corp. after the two couldn't agree on "just compensation" for land claimed by the state for construction of the planned high-rise bridge at Sunset Beach.

Eminent domain refers to the government's right to take private property for public use, usually with compensation to the owner.

In condemnation proceedings filed earlier this month in Brunswick County Superior Court DOT has asked that a jury determine just compensation for the property.

Sea Trail Corp., developer of a large residential and golf course complex in the Sunset Beach mainland area, rejected the state's offer of \$228,000, according to the suit filed by Eugene Smith, a senior deputy attorney general. Also named as defendants are Dennis Crocker, trustee for NCNB, and NCNB, which holds four deeds of trust related to the contested property.

The proposed route for access to the new bridge lies to the west of the existing bridge approach. It cuts across Sea Trail Golf Links, passing behind Sunset Beach Town Hall, and then across Shoreline Drive/N.C. 179. Also involved is land adjacent to the intersection of N.C. 179 and Shoreline Drive.

DOT is taking fee simple title to a portion of the property for right of way for the new bridge approach. It is taking the remainder of the land in question as slope easement to provide lateral support for the highway or for temporary construction easement for the duration of the bridge project.

The state said the slope easement would revert to the owner, according to the suit, at such time as the elevation of the land adjacent to the approach is lowered or increased so that the support is no longer needed.

DOT deposited the \$228,000 with the court.

Sea Trail Corp. has one year in which to file its answer.

DA's Office To Receive Evidence On Inspector

BY TERRY POPE

A detective with the Brunswick County Sheriff's Department says he hopes to complete an investigation of the county's former building inspector this week on alleged felony charges.

Chief of Detectives Phil Perry said Monday he will present evidence to the district attorney's office by the middle of this week to determine what, if any, charges will be filed against Julius D. "Buddy" Lewis, who resigned as head of the Building Inspection Department three weeks ago.

The investigation stems from alleged conversion of money paid for a county building permit that was never officially issued. Perry is investigating whether the money was pocketed by the county employee instead.

"There are still a couple of people to be interviewed," Perry said. "All I can say at this point is that it is still being investigated."

Perry received information from County Attorney and Interim County Manager David Clegg last Thursday to begin the investigation following reports detailing how Lewis

allegedly cashed a \$125 check from the Faith Original Free Will Baptist Church in Leland. The county did not uncover the problem until the church requested a plumbing inspection and the staff discovered there was no building permit on record for the church project, Clegg said.

At the church site on Village Road in Leland, a placard displaying the building permit had been erected, and church officials were able to produce a check dated April 4 which, Clegg said, was "purportedly" used for the permit. Allegedly, Lewis had asked the church to leave the check blank so he could use a departmental stamp, but instead the check was made out to and cashed by Lewis.

If charges are filed against Lewis, it is likely to be conversion of public money for private use, a felony count. Perry refused to say how many charges are being investigated. The district attorney's office will determine what charges to file, he added.

"Considering his position and the methods used, it would be a felony charge," Perry said. (See DA'S OFFICE, Page 2-A)

Amendments In State Septic Tank Rules Expected To Up Odds For Site Approval

BY SUSAN USHER

Brunswick County Health Director Michael Rhodes believes that rules changes approved last month by the Commission on Health Services will increase the odds that more local lots will qualify for septic tank systems.

Rhodes credited the Brunswick County Board of Health, the department's environmental health staff and Rep. David Redwine with helping bring about the changes, which he said will allow "environmentally safe installation of these systems" on sites where they had generally not been allowed for the past year or possibly longer.

Generally, the new rules mean that environmental health specialists at the health department will return to evaluating sites by the standards in place here between 1977 and 1982.

The amendments approved at the Aug. 22 meeting in Raleigh will apply to lots platted on or before Dec. 31, 1989. "That says to planners and developers 'your lots need to be larger (now) if you're going to have septic tanks and wells,'" said Rhodes.

County officials were successful in getting the cut-off date changed, said Rhodes. As first presented last month the cut-off date would have been Jan. 1, 1983, which he said arbitrarily tied the amendments to earlier, unrelated changes in the rules.

The changes approved last month are essentially ones that Brunswick County officials had thought would be covered in septic tank rules changes announced nearly a year ago that went into effect Jan. 1.

"We had been working on this about a year," said Rhodes. "We thought we knew what was coming,

but we got an even bigger surprise.

"What we thought would be less restrictive regulations actually made it more stringent in Brunswick County because of the small lot sizes we have," said Rhodes.

The rules were changed to allow installation of septic tanks in certain "previously filled" lots. But the state at the same time set very gradual slope requirements for most lots and limited the "loading rate," or the volume of sewage that could be handled by the system within a given time frame.

Most lots in Brunswick County are small, 65 feet in width or less, having been platted before the state adopted its uniform septic tank rules. That small size prevented installers from being able to comply with the new rules, leaving the lots generally unsuited for development except where public water and com-

munity sewer treatment systems were available.

In other cases, the changes made the difference in how some lots could be developed—whether a lot could accommodate a three- or four-bedroom house or only a one- or two-bedroom house. That was a major concern for developers of expensive barrier island or waterfront property.

The health department estimated that as many as 8,000 individual lots in Brunswick County could not be developed with the use of individual septic tank systems.

"In most cases," Rhodes said, "those lots that were 'provisionally suitable' (for site permit approval), that needed draining and/or filling, could not be built on because of the slope and loading rate requirements."

(See SEPTIC TANK, Page 2-A)