

THE L...CK BEACON

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

Shallotte, North Carolina, Thursday, March 21, 1991

Twenty-ninth Year, Number 20

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25¢ Per Copy

48 Pages, 4 Sections Including Supplement, 2 Inserts



Spring At Last!

STAFF PHOTO BY SUSAN USHER

Brisk spring winds didn't chill three-year-old Gabriella Guerra a bit last week as she vacationed with family members at Ocean Isle Beach. The Leamington, Ontario, family was enjoying the Canadian school holiday. "It's a beautiful place you have here—so peaceful," noted Gabriella's father, Enrique, as the two built sand castles on the strand. More visitors are expected on local beaches for the long Easter weekend.

ON WACCAMAW RIVER

State Files Suit To Stop Project

BY DOUG RUTTER

The state has filed a lawsuit in an attempt to stop development activity at a subdivision on the Waccamaw River whose owners have been accused of violating environmental protection rules.

The N.C. Department of Environment, Health and Natural Resources asserts in the civil suit that Waccamaw Landing Plantation, Inc., has violated the Sedimentation Pollution Control Act of 1973 at Rivergate Estates.

The development covering more than 100 acres is located off N.C. 904 next to the N.C. Wildlife Resources Commission boat ramp at the Columbus County line. Jimmy Gore and Dale Gore are developing the site.

The state is asking the court to issue a preliminary injunction ordering the development company to halt all land-disturbing activity at the site, according to the lawsuit filed March 12 in Brunswick County Superior Court.

North Carolina officials also want the court to require the developers to establish and maintain sedimentation and erosion control devices within 10 days of when the injunction is issued.

Also, the state asks in the lawsuit that the developers be required to install measures that are reasonably necessary to prevent erosion and sediment from leaving the subdivision site.

The state claims that the first violations of the Sedimentation Pollution Control Act were noticed Aug. 29, 1990. More violations were discovered during site inspections in September, October and November.

Waccamaw Landing Plantation, Inc., received three notices of violation from the state by certified mail between September and November, according to the lawsuit.

Initial violations were failing to submit an erosion and sedimentation control plan to the state at least 30

days prior to starting land-disturbing activity and failing to install measures that would control erosion or retain sediment on the site.

State officials found an additional violation during a site inspection Sept. 26. The lawsuits claims the development had graded slopes and fills that were too steep to retain vegetative cover.

Environmental personnel found during an Oct. 18 inspection that the site had not been brought into compliance and discovered three more violations, according to the lawsuit.

The state found that the company had failed to install sufficient measures to retain sediment on site, failed to create an adequate buffer zone between the Waccamaw River and lots along the east bank of the river and had created unprotected exposed slopes.

Four more violations were discovered during a site inspection Nov. 14, when state officials found severe off-site sedimentation had occurred. The state claims the river had been damaged where sediment-laden water had been intentionally pumped from a nearby pond into the river because the developers had failed to install sufficient measures to retain sediment on the site.

The state personnel also found that the developers had failed to provide an adequate buffer zone between the site and the river, and in at least one area, soil had been pushed directly into the river.

The lawsuit also says erosion had occurred on the side slopes in the lake excavation and in the street side ditches in several areas. The state claims that the developers failed to maintain graded slopes and fills at an angle that can be retained by vegetative cover or other adequate erosion-control devices or structures.

Also in the civil suit, the state claims there was erosion in several areas because the company did not provide vegetative ground cover on graded slopes in lakes, swales and ditches.

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County Wants Outer Loop Route To Bypass Its Industrial Park

BY TERRY POPE

County officials have endorsed a newer route for the proposed Northern Outer Loop, a route that skirts north of the Leland Industrial Park.

An updated N.C. Department of Transportation map of proposed routes is included in this month's newsletter by Greiner, Inc. of Raleigh, the consulting engineering firm hired by the state to conduct an environmental impact study on the Wilmington bypass project.

The bypass would route traffic off of Interstate 40 south near Castle Hayne and tie in to U.S. 17 in the vicinity of Bishop in northern Brunswick County, an estimated 14-mile route.

The latest map shows a proposed route that was not included in previous maps, a route that would swing the four-lane bypass north of the Leland DuPont plant and west of the industrial park through Malmo.

It is a route that county officials like because it would not disrupt development plans for the industrial park at Malmo.

"The county has got significant development in the Leland Industrial Park and we don't want that cut in half," said County Manager David Clegg.

An earlier plan included in the Brunswick County Major Thoroughfare Plan adopted by DOT Feb. 2, 1988, and endorsed by county officials, would route the bypass north of Navassa and through the industrial park.

Clegg said the county would agree to the February 1988 original route as an alternative.

Earlier this year, the Brunswick County Resources

Development Commission adopted a resolution endorsing that original route after Greiner Inc. reported it also plans to study a proposal that would include a corridor from I-40 to U.S. 421. That route would require improvements to existing U.S. 421 south to the U.S. 17-74-76 interchange in Belville and continue with improvements to U.S. 17 southward into Brunswick County.

It is a route the South Brunswick Island Chamber of Commerce has recently endorsed by letter to the engineering firm as a "suggested plan for immediate relief."

Chamber President Annette Odom and Executive Vice President Susanne Sartelle have requested that a short term plan be adopted to widen N.C. 210 to U.S. 421 and to route traffic through Brunswick County along U.S. 17.

"We believe that this bypass route will have the least adverse affect on the environment and will be the least expensive, given the options," their letter states.

Since only about 13 miles of N.C. 210 would require widening, it would also be completed in the least amount of time, the chamber letter notes.

"We do agree that environmental studies should be done and that the best route should be determined for the long term solution," the letter continues. "However, given the present traffic congestion problems around Wilmington, we strongly encourage you to consider and adopt our suggested plan for immediate relief."

Directing travelers to Brunswick County's beaches is

(See BYPASS, Page 2-A)

THE L...CK BEACON

Man Indicted As Investigation Of Double Murder Continues

BY TERRY POPE

A Brunswick County Grand Jury Monday indicted a Wilmington man on two charges of murder in connection with the shooting of a Bolivia couple at their home early Sunday.

Erwin Lange Malpass, 20, of the Flemington community on U.S. 421 in Wilmington, turned himself in to the New Hanover County Sheriff's Department approximately two hours after the shooting of the Bolivia couple.

As of Tuesday evening he remained in the Brunswick County Jail without bond.

Malpass has been charged in the murder of William Carl Willets and

his wife, Vanessa Louise Maggard Willets, of Danford Road, Bolivia, said Brunswick County Chief of Detectives Phil Perry.

The indictments do not specify a charge of first-degree or second-degree murder against the suspect. They state that Malpass "unlawfully, willfully and feloniously and of malice aforethought did kill and murder" the victims.

Perry said the sheriff's department received a call at approximately 2:30 a.m. regarding a shooting on Danford Road.

"When the first officer arrived on the scene, she found two bodies," he said. Ms. Willets' body was

found lying in the yard while the body of her husband was inside the house, on the living room floor.

Both victims, in their 30s, had been shot with a shotgun.

Perry said the Willets couple had been living in Bolivia about a year and was not believed to be related to any Willets in Bolivia who spell their last name with two t's.

Warrants were filed Sunday against Malpass by Sheriff's Detective Billy Hughes. The warrants list as a witness to the shooting, Amy Willets, a daughter of the deceased.

Detectives refused to release other details of the case pending further investigation.

No Smoking Debate Heats Up County Commissioners

BY TERRY POPE

All or nothing.

Brunswick County Commissioner Gene Pinkerton said he is willing to vote for a total ban on smoking at the county government complex in Bolivia. He also said he wouldn't mind just letting everyone smoke.

Is a policy that would prohibit some persons from smoking but allows others to smoke that Pinkerton says would be unfair.

A proposed policy that would allow such a combination was tabled by commissioners Monday night.

"I'm trying my best to quit," Pinkerton said. "But I'm also trying to look at what's fair to everybody."

County Manager David Clegg presented a proposed no smoking policy Monday that would restrict smoking in certain areas of the government complex. When the board appeared deadlocked on whether it wanted the entire complex to go smoke-free or to allow smoking only in certain areas, the matter was tabled by a 4-1 vote, with Commissioner Frankie Rabon dissenting.

In February, Commissioner Jerry Jones asked for a no smoking policy after he said employees and the public contacted him asking that the county adopt one. A ban on smoking is especially needed in the waiting area of the Brunswick County Courthouse, he said.

Under the policy presented Monday, smoking would be banned in the courthouse with the exception of the judges' chambers. The ban on smoking would affect the public assembly building, excluding 20 percent of the

serving tables during its use as a county-operated cafeteria.

After 5 p.m. the ban would be effect in the building at all times, with one exclusion: the nights the building is being used as a center for election returns.

Other areas placed under the ban would be the Brunswick County Health Department's patient care area and the Department of Social Services waiting room.

Meeting rooms of any board, commission or committee to which the county commissioners appoint members would be off limits to smoking on the complex grounds.

The policy defines smoking as inhaling, exhaling, burning or carrying any lighted cigar, cigarette or other combustible tobacco product.

Pinkerton said he believed it would be unfair for judges to be allowed to smoke in their chambers while the public would not be allowed to smoke inside buildings.

"I would vote for the non-smoking part of that," said Pinkerton.

Rabon, who has recently quit smoking, said he couldn't vote for the policy because he considered it unfair. Employees would be allowed to smoke in buildings but county residents would not, he said.

"The people footing the bill would not be allowed to smoke in the buildings," Rabon said. "I don't think

(See NO SMOKING, Page 2-A)

Different Trio Named To Calabash Board

Brunswick County Commissioners Monday appointed three members to the Calabash Planning and Zoning Board, but not the three men who had been recommended by the town and were serving on the board.

The new appointees named to represent the extraterritorial area (ETA) are Phil Marlow, Anthony Clemons and Louise Lewis.

The town regulates land use in the ETA, which extends about one mile from the town limits in all directions, but residents of the area do not pay town taxes and cannot vote in town elections. They are entitled to representation on the planning board on all matters related to the ETA.

District 2 Commissioner Jerry Jones nominated the new planning board members, who were appointed

on a unanimous vote.

Calabash Commissioners—belatedly—had recommended the appointment of Robert Crocker, William Rate and Willie Bellamy.

The appointment of ETA representatives to the town planning board created a controversy last month when it was learned that Crocker, Rate and Bellamy had never been legally appointed to the board on which they now serve.

Calabash officials had unofficially appointed the three men last year, but the county board never approved the appointments.

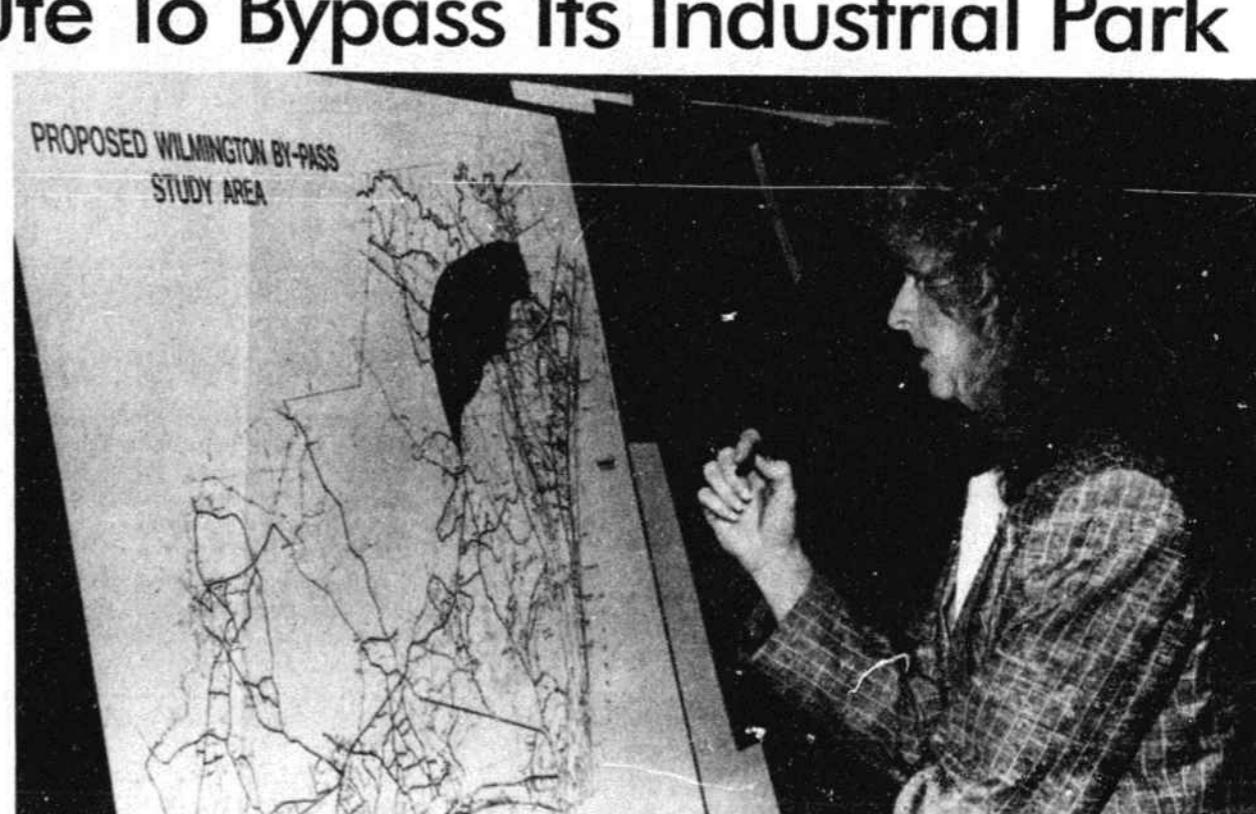
State law gives county commissioners the right to appoint ETA residents to planning boards in towns that exercise their right to extraterritorial jurisdiction.

Jones said he nominated Marlow, Clemons and Mrs. Lewis because each of them told him that they wanted to serve on the planning board, which advises the town commissioners.

"These people had made it known that they would like to serve, and people in that area asked me to consider them," Jones said. "I'm sure the ones nominated by Calabash would have done a good job too. It's just one of those things."

Although the town's selection of Crocker, Rate and Bellamy was never approved at the county level, N.C. Attorney General Lacy Thornburg stated in a recent letter to the town that zoning ordinances adopted during their tenure on the board are valid and enforceable in the ETA.

LELAND RESIDENT Joy Cranidiotis reviews the proposed bypass study area at a public workshop held in November. A second workshop is scheduled in Wilmington next Wednesday.



STAFF PHOTO BY TERRY POPE