

Holden Beach Board Hires Consultant To Study Water Safety

BY DOUG RUTTER

Reacting to the recent drowning of four visitors, Holden Beach officials have hired a marine safety consultant to come up with options for a safety program.

Preston H. Colby of Seabring, Fla., a nationally-known water search and rescue instructor and trainer, will develop alternatives that would best serve Holden Beach and also provide estimated costs and training methods.

Commissioners, concerned about water safety as a result of the drownings, have agreed to pay up to \$3,000 for Colby's services. They discussed water safety during a meeting last Thursday that was continued Monday.

Three Greensboro men drowned May 28 after a fishing boat sank off Shallotte Inlet. A 12-year-old boy from Knightdale drowned in the surf at Holden Beach July 4.

Mayor John Tandy said Monday that the town has been going "by the seat of our britches" in the past. Although police officers and volun-

teers have done their best, he said water rescue efforts have not been well coordinated.

Colby taught a water rescue course over the weekend at Ocean Isle Beach. Two Holden Beach police officers and several fire and rescue squads members took the class.

He is director of Public Safety Water Rescue, serves as a U.S. Merchant Marine officer and as director of Florida's Tactical Underwater Team.

Colby said his preliminary report for Holden Beach would be done in two weeks and the final report would be completed within a month.

On Monday, however, Colby told town board members that there isn't any one step the town could take to solve the island's water safety problems. "There's no simple answer. If there was I wouldn't be here."

For starters, Colby said the town needs to improve access to the beach for emergency vehicles and educate the public about water safety.

He suggested the town have at least one accessway every mile where it can get vehicles on the strand. "If you can't get access to the beach you can't do any rescue," he said.

Town officials said the lack of

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—Preston Colby
Marine Safety Consultant

public accessways and the encroaching sea limit the amount of emergency accessways the town can provide.

"We just have a problem with limitation of space and how high the tide gets," Commissioner Bob Buck said.

Colby said oceanfront property owners will have to give the town land for accessways if they think water safety is a problem.

Town officials and Colby agreed that educating people about the potential dangers of ocean swimming would prevent more accidents than anything else.

"There's no question that it's needed, and no question it will help," Commissioner Buck said.

Putting signs at every beach accessway, including safety tips in rental packets and getting the cable company to run public service announcements are among ways to ed-

ucate people, Colby said.

Buck said parents should start teaching their children to respect the ocean when they are toddlers. "It's tragic, but people don't understand ocean currents."

Mayor Pro Tem Gloria Barrett said some children think the ocean is the same as a swimming pool and don't know about the waves and currents.

To improve the training of local emergency personnel, commissioners voted Monday to pay up to \$200 to send members of the fire department and rescue squad to a water safety class in Morehead City.

Volunteers Doug Todd and Keith Swayner, who is serving on the town's water safety committee, will be able to instruct police officers after completing the course.

Summer Lifeguards?

At their session last Thursday, commissioners discussed the possi-

bility of hiring lifeguards for the remainder of the summer.

Interim Town Manager Gus Ulrich said it would cost \$6,100 to hire and equip three lifeguards to protect the beach adjacent to the regional parking lot under the bridge through Labor Day.

The cost of protecting that stretch of beach from June 1 through Labor Day was estimated at \$13,100. That covers two lifeguards on duty from 9 a.m. until 5 p.m. seven days a week.

Liability, and not cost, was the major concern of town officials as they discussed the lifeguard program. Ulrich said the town's general liability insurance would cover the service.

Town Attorney Kenneth Campbell said it is legal for the town to provide lifeguards at designated areas without protecting the entire beach.

But he warned that the town could be held responsible for drownings if it hires lifeguards. "As you undertake to provide services you undertake liability."

Several board members said they were worried about the town being held liable if somebody drowned while swimming outside a protected swimming area.

As a comparison, Buck said mu-

nicipal fire departments aren't allowed to fight fires outside the city limits. The same would be true with lifeguards in a designated swimming area.

"You're going to have one heck of a time explaining why that lifeguard couldn't offer protection 400 feet away," Buck said. "We're gonna catch the living devil."

Commissioner Kenner Amos said homeowners would probably complain if the town provided lifeguards in one area but not in front of everyone's house.

Responding to a question from the board, Colby said lifeguard programs are usually difficult to get started and maintain when towns hire high school and college students for the summer.

"I do not recommend you jump into a lifeguard program without thinking long and hard about what it would do," he said.

At most of the major beaches in Florida, Colby said lifeguards also serve as emergency medical technicians and have arrest powers so they can control activity on the strand.

Even with lifeguards protecting the beach, commissioners agreed last week that parents need to watch out for their own children and swimmers need to use common sense.

ADOPTION EXPECTED AUG. 5

Subdivision Ordinance Avoids New Hearing

BY TERRY POPE

A second public hearing on the county's new subdivision ordinance will not be held, as Brunswick County Commissioners are set to discuss the ordinance Aug. 5.

"There has probably been more public input on it than any other ordinance adopted in Brunswick County," said County Manager David Clegg.

A public hearing was held on the ordinance in April. Since then, it has undergone major revisions by the Brunswick County Planning Board.

Planning Director John Harvey presented the final product to commissioners last week. He said at least 52 people have contributed to the final draft through public hearings, planning board workshops, memos and phone calls to his office.

"The planning board has done a mammoth job meeting about four times a month," said Harvey, "offering everyone the opportunity to comment."

Clegg said Harvey and planning board members did a "good job" in writing the ordinance in layman's terms. Last week, though, he was polishing the language to make the ordinance's provisions and intent still clearer.

Harvey told commissioners they would have a difficult time recognizing the 31-page document in its revised state, approximately the 10th draft produced.

However, a second public hearing isn't legally required, said Clegg.

"That could go on forever," said Clegg. "I think the board of commissioners has got to satisfy themselves that there has been public input that they think is appropriate."

The ordinance will replace one adopted by the county in June 1980. At that time, the county did not have a water system and the ordinance did not address state standards for street right of way requirements and minimum lot sizes.

The planning department began work on a new ordinance, but in November 1981 commissioners told the planning board to drop the matter. Last year, commissioners renewed an interest in the document and ordered that a new ordinance be drafted.

"There are some positions that will never be appeased," said Clegg. "It certainly represents more than a meeting of the minds. Hopefully, it's something that everybody can live with."

Commissioners say they want the new ordinance to regulate unscrupulous developers of new subdivisions.

At a public hearing in April, some residents spoke in favor of the ordinance, saying that dirt roads in

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—David Clegg,
County Manager

their neighborhoods cannot be paved by the state because developers initially did not plat enough room for a street right of way.

Some local developers argued that the ordinance was too restrictive and would hamper growth in Brunswick County.

Commissioner Jerry Jones, said Clegg, acting as county attorney, would review the ordinance and make any legal changes needed before Aug. 5. The board tabled the matter at last week's meeting because Commissioner Gene Pinkerton was out of town on business.

To pass on first reading, the full board must be present.

Dropped from the ordinance is a requirement that developers post a bond or submit a letter of credit to ensure that improvements to a subdivision would be made on time.

Added was a section requiring the county engineer to inspect improvements at various stages of construction. The engineer will grant a statement of completion to be filed with the planning director and clerk to the board of commissioners.

Clegg told commissioners he was most concerned about the last page of the ordinance. A section on the final page gives the county manager authority to grant final approval to portions of subdivisions and to allow them to be recorded prior to completion of the required improvements.

The developer and county manager would have to reach an agreement in such special cases, the ordinance states.

The developer can apply to have up to 50 percent of a subdivision at one time recorded under this special clause.

"His (Clegg's) opinion was that it looked like it was giving him a greater authority than necessary," said Jones, "and I appreciate him saying that."

Among other things the new ordinance:

- exempts the conveyance of land to heirs;
- exempts transfers of one parcel to family members;
- prohibits reserve strips used to deny traffic connections between properties;
- becomes effective Jan. 1, 1992;
- grandfathers for 12 months preliminary plats approved under the 1980 ordinance;
- validates preliminary plats for 24 months from date of board approval;
- sets a minimum size for residential lots at 7,500 square feet;
- allows smaller lot sizes, but not less than 5,000 square feet, where water and sewer are available;
- sets minimum depth and width requirements for lots;
- sets a 60-foot right of way requirement for subdivision streets serving as connectors to public streets;
- sets a 50-foot right of way requirement for internal streets in subdivisions;
- enforces minimum standards of grading, drainage, sub-base, base and paving to DOT standards for all

streets;

■allows subdivisions of 10 acres or less and accessible by unpaved streets via abutting properties to be exempt from paving requirements, but a warning of private responsibility for maintenance and upkeep of roads is to be posted on the plat;

■establishes minimum building setback lines of 25 feet in front; 7 1/2 feet on side yards; 15 feet on street sides; and 10 feet on rear yards;

■requires major subdivisions, of six lots or more, to connect to the county water system if within 1,000 feet by roadway;

■requires minor subdivisions, of five lots or less, to connect to the county water system if within 250 feet;

■requires that 75 percent of lots in a

preliminary plat be servicable by a sewer system or on-site wastewater system or carry a disclaimer indicating which lots are not suitable for human habitation;

■requires a subdivider to: 1) file a statement guaranteeing for 12 months any improvements made to a subdivision in order to obtain a final approval from the county engineer; 2) to perform work as necessary to correct defects which exist 12 months after the date of the statement of completion; and 3) to perform corrective work within 120 days of having been served written notice of deficiencies by the county engineer.

Violation of the subdivision ordinance is a misdemeanor. The county has the right to bring action for an injunction to block the illegal transfer of property or to seek an order of compliance, Clegg said.

The county has never had to enforce provisions of the existing subdivision ordinance, said Clegg, and he doesn't expect to have to do so under the new ordinance. "It certainly explains much clearer what they should do," he said, "so there should be less confusion."

Lightning Kills Golfer

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him at a condominium at Brick Landing Plantation.

"We really don't have any details," said Barbee.

He said he didn't know if the foursome had sought shelter or was playing when the accident occurred.

Officials also weren't sure if lightning struck Harben directly or hit a tree or other object first.

"We're still unsure of that," White said. "His friends left the hospital immediately after they found out he was dead. They were visibly upset."

White said the lightning-related death is the first since he became coroner 5 1/2 years ago. There have been at least two others this year in North Carolina.

In 1990, North Carolina ranked second in the nation in the number of deaths caused by lightning, ac-

cording to the N.C. Department of Crime Control and Public Safety. Florida was first in deaths.

There were five such fatalities last year in North Carolina, including three on golf courses, and 12 injuries. All of the deaths and injuries occurred between April and early September.

Lightning was responsible for the greatest number of weather-related deaths in the state last year—ahead of tornadoes, floods and downbursts.

State public safety officials recommend that people taking cover outdoors during lightning storms avoid highly-conductive objects such as single trees and utility poles.

People indoors should stay away from electrical outlets. Appliances such as televisions and stereos also should be unplugged to decrease the chance of fire.

New Group Forms At Sunset Beach

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said Walters.

"Sunset Beach is due for a lot of change. We hope this group can be a positive force behind these changes."

Morrison said working to make sure the town has adequate infrastructure to handle future growth will be one of the group's concerns—streets, water and sewer and emergency services, as well as speaking up on issues such as planning and zoning.

"We don't want anybody to come down and say you can't do any more of this until you do something else," said Morrison, citing recent tightening of the town's sign ordinance as one example.

New people moving into the area expect more, he indicated. "They're not going to put up with some of the things that have gone on in the past. Things are going to have to change."

Another example he cited are residents' concerns about low water pressure. An enlarged county water

line in the Sunset Beach area still won't resolve the problem entirely, at least for those who live on or visit the island.

The problem is getting a larger line across the waterway to the island, he said. Future options could include suspending such a line from a high-rise bridge proposed by the N.C. Department of Transportation.

The Sunset Beach Taxpayers Association formed approximately 11 years ago in opposition to the bridge and to other types of changes that could result in greater "density of development" at Sunset Beach, particularly on the island itself. The group recently succeeded in delaying construction of the bridge pending an new environmental impact study.

But providing the infrastructure necessary to handle anticipated growth is essential, according to Morrison.

"It takes time and it takes planning," he said. "We can't just sit back. We need to look to the future and make this a better place to live."

Judge Clears Police Chief

District Court Judge D. Jack Hooks Jr. has ruled that contempt charges should not be brought against Shallotte Police Chief Rodney Gause.

When Gause failed to appear in Brunswick County District Court April 24, charges that he filed against a suspect in 1989 were dismissed.

Hooks ordered that Gause appear in District Court to show cause as to why he should not face contempt charges. The judge's ruling clears Gause of any wrongdoing in the case.

Gause said Friday that he was on vacation the week of the trial in question.

"I've always had the utmost respect for Chief Judge Jack Hooks Jr. and his court," said Gause.

The case involved charges filed by Gause and Shallotte Patrolman Roy Kohler against Anthony Craig Smith, 26, of Route 6, Shallotte, in 1989 for possession of non-tax paid alcoholic beverages.

Smith was accused of having in his possession a half-gallon of moonshine whiskey on Feb. 5, 1989, according to the arrest warrant.

Three times, Smith failed to appear for his trial in District Court, according to documents on file at the Brunswick County Clerk of Court's office.

According to Hooks' order, Gause was issued a subpoena on April 1, 1991 to appear in court April 24 to testify in a case against Smith, who was on the court docket to face 17 driving-related charges.

When Gause failed to appear in court as the prosecuting witness, Assistant District Attorney Greg Komegay asked that the case be continued. Hooks denied the motion and issued the show cause order against Gause.

Man Injured In Shooting

A Shallotte man remained hospitalized Tuesday following a shooting near Hickman's Crossroads Sunday night.

Terry Norris, 37, of Route 4, was shot twice in the chest by a small caliber handgun, reported Brunswick County Sheriff's Detective Larry Joyner.

The shooting occurred at a residence on S.R. 1300 (Ash-Little River Road) around 10:56 p.m., Joyner said.

Russell Edward, 33, of Tabor City, was charged Monday night with assault with a deadly weapon

with intent to kill inflicting serious injury, said Joyner.

Norris was shot once in the upper chest and again in the lower chest area, Joyner said.

He was transported to The Brunswick Hospital in Supply by ambulance and later transferred to New Hanover Regional Medical Center in Wilmington, where he was listed in stable condition Monday afternoon.

"They had an argument prior to the shooting," said Joyner.

Edward was released from the Brunswick County Jail Monday under \$10,000 bond.

Normal Conditions In Outlook

The South Brunswick Islands area should see normal temperatures and rainfall over the coming week, Shallotte Point meteorologist Jackson Canady said Tuesday.

He predicted temperatures to average in the lower 70s at night to around 90 degrees during the day, with three-quarters inch of rainfall.

For the period of July 16-22, Canady recorded a maximum high

temperature of 92 degrees on both July 21 and 22. The minimum low of 70 degrees occurred on July 17.

An average daily high of 89 degrees combined with an average nightly low of 74 degrees for a daily average temperature of 81 degrees, which is a normal, said Canady.

He measured 4.77 inches of rainfall for the period.

Dog Observed For Rabies

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fence and also tied so it could be observed for rabies, said Crowder.

"It's still being observed," Crowder said Monday. "The dog is healthy. We believe its shots are all up to date."

The incident came just days before state officials warned counties to be on the lookout for rabies.

A woman who works with animals at a nature museum in Charlotte was bitten by a rabid bat July 9. Also, a young boy in Pasquotank County was playing in his backyard wading pool last week when a rabid fox wandered from the woods, entered the pool and bit the child.

Both animals were found to be infected with rabies, the N.C. Division of Epidemiology reported.

Two rabid raccoons were also found in Gates County, indicating that a rabies epidemic in Virginia has moved into North Carolina.

"That concerns me," said Crowder. "We've known about it for a number of years."

The last known case of rabies in Brunswick County occurred about 12 years ago, said Crowder, who has worked for the county health

department 16 years.

In that case, a young girl was bitten by a bat, he said.

State lab tests indicated the bat had been infected with rabies.

Rabies is an acute, infectious and often fatal viral disease of most mammals that attacks the central nervous system and is transmitted by the bite of an infected animal.

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