

Fired Health Employee Appeals Board Decision

BY TERRY POPE
A health department employee fired from her job in June has filed an appeal with the State Personnel Commission.

Zelma Babson, of Ash, was fired June 25 from her job as Brunswick County Animal Control supervisor by Health Director Michael Rhodes.

The 11-year veteran of the health department says the firing was unfair and is seeking a hearing through the administrative office of the State Personnel Commission to try to get her job back.

Ms. Babson appealed Rhodes' decision to the Brunswick County Board of Health last month. Board members voted to uphold the firing.

Her attorney, Sheila McLamb of Shallotte, filed the appeal with the Personnel Commission Friday. No date has been set on a hearing, she said.

"That's a long time down the road," said Ms. McLamb.

A law judge with the Administrative Office of the Courts will hear Ms. Babson's arguments and make a ruling, said Ms. McLamb. The plaintiff can then agree or disagree with the judge's findings.

The plaintiff would then have the

option of holding a hearing in Brunswick County or in Raleigh, said Ms. McLamb.

"We would choose to have it here," she said.

Following a four-hour closed door meeting July 22, the health board voted to uphold Rhodes' decision to fire Ms. Babson. Neither side has indicated why Ms. Babson was dismissed.

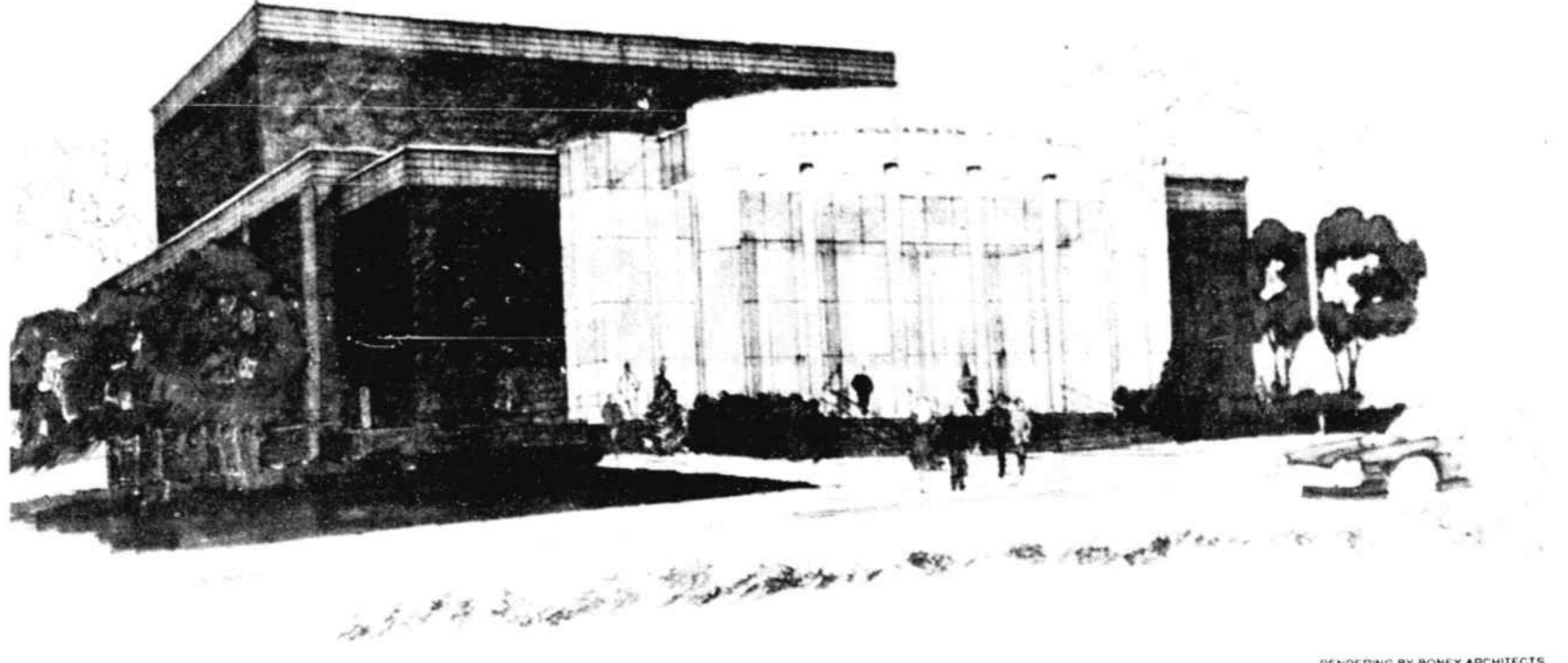
Since health department employees fall under a competitive service employee policy adopted by the State Personnel Commission in June 1990, the matter does not go before Brunswick County Commissioners.

Under the policy, the health director is responsible for personnel action, but if an employee feels the action to be unfair, he or she can appeal the decision to the health board.

If the employee disagrees with the health board's decision, he or she may file a grievance with the Personnel Commission.

Such appeals have a history of taking months to be resolved.

"It'll be a long time," said Ms. McLamb.



CONSTRUCTION SHOULD BEGIN in approximately a month on this 1,500 seat community auditorium at BCC. It should be ready for use in late 1992.

Auditorium Project Moves Closer To Reality

BY SUSAN USHER
Nearly two years after ground was first broken for the project, an auditorium at Brunswick Community College is about to become a reality.

BCC trustees last Wednesday evening awarded construction contracts totaling \$2.93 million.

With the architect's fee and contingency fund the total construction cost for the Odell Williamson Auditorium will be \$3.2 million.

That's significantly below the \$5.58 million cost estimate trustees received in mid-1989 for the building as originally designed.

"I feel like the board has really gotten a fine building for the money," said Leslie N. Boney Jr. of Boney Architects of Wilmington, the last of three architectural firms to work on the project.

"I know the building is very important to the community and that's it is the product of a lot of people's support," he continued.

BCC first broke ground for the Williamson Auditorium in September 1979 as part of its 10th anniversary celebration, delayed by Hurricane Hugo.

Participating with trustees were Odell Williamson and his wife, Virginia. The Ocean Isle Beach developer has established a trust with the BCC Foundation to provide a steady flow of funds to help cover management expenses, such as the cost of hiring a general manager to handle bookings and operations.

The project has so far stumbled through a series of obstacles.

Partners in the original architectural firm split. The architect who retained the project later died before plans were completed.

Boney Architects of Wilmington agreed to take the incomplete schematics and work from there. But when the numbers on the first project were reviewed, the square footage came out greater than the first architect's had figured, pushing the price well over BCC's budget for the project—the balance of a bond issue approved by county voters in 19

Once construction begins—some papers have to be shuffled and contracts signed first—the project should take 13 to 14 months to complete, with occupancy anticipated in late 1992.

Also Wednesday, Kelly announced that a committee will be named to recommend usage policy and related fees. "Apparently there are those who think it will be free, but it won't be," he said. "We have got to consider the cost of operating the building."

Boney Architects, with Southport native Ken Phelps taking the lead, revamped the project. Though Phelps has worked out of Wilmington for approximately 18 years, five with Boney, this is his first Brunswick County project.

"I'm really pleased about being able to proceed with it," he said after the contracts were approved.

BCC Board Chairman Dave Kelly spoke for

the board last week when he told Boney, "We started and stopped on this project and we were in a kind of a mess and you helped us and I appreciate it."

The new plans are roughly modeled after Kenan Auditorium at the University of North Carolina at Wilmington, another Boney Architects project, but with more seating.

While cutting the overall size of the building from 43,165 square feet to 32,773 square feet, the final plans kept intact two of the key items sought by a community advisory committee: 1,500 seats and a fly loft for scenery storage and handling.

One of two planned balconies was kept, while the overall height of the front of the building was chopped and some dressing rooms and storage space eliminated that can be added later as funds become available.

In lieu of a small area for more intimate programs such as readers' theater, the new plans include classroom space.

At the same time several features not included in the original plans were added, Boney said, including a better lighting system, a sound system, a sprinkler system, additional toilets and a sewer system required by the state.

"There's going to be a whole lot more building on the hill than we thought we were going to be able to deliver to you," Boney told the trustees. "I real happy... You've come a long way, baby."

Normal Weather In Forecast

Shallotte area residents can expect near normal weather over the next few days, according to Shallotte Point meteorologist Jackson Canady.

Temperatures should range from the low 70s at night to the upper 80s during the day. Canady said the area should receive about three-fourths of an inch of rain in the next week.

Rainfall for the period Aug. 20 through 26 totaled 1.84 inches, Canady said.

The daily average high last week was 86 degrees and the average nightly low was 71 degrees.

Canady said the daily average temperature of 78 degrees was about one degree below normal.

The maximum high temperature during the period was 89 degrees on Aug. 21. The minimum low of 67 degrees also occurred on the 21st.

Planners Throw In Towel

(Continued From Page 1-A)

done in the past or taken any unauthorized actions.

The mass resignation Tuesday leaves the nine-member planning board with only two members, and no members who live inside the town limits.

Anthony Clemmons and Phil Marlow are the only planning board members left. Brunswick County Commissioners appointed them in March to represent the town's extrajurisdictional area.

Calabash Commissioners will hold a special meeting Tuesday, Sept. 3, at 7 p.m. to discuss the planning board.

In the meantime, Commissioner Jon Sanborn urged fellow board members to come up with some

people who are willing to fill the vacancies.

"I think it's imperative that we get on this quickly and decide what we're going to do," Sanborn said.

Other Business

In other business Tuesday, commissioners:

■ Approved a contract with Powell Associates of Myrtle Beach, S.C., to do a wastewater treatment needs study for the town. The study will cost \$14,500, which would eventually be paid by users of any new or expanded sewer system.

■ Agreed to several changes in street names suggested by the Brunswick County Planning Department, which is preparing for the 911 emergency telephone system. Town officials haven't decided whether they will change the name of one street which is known as River Road but legally named Ivey High Road.

■ Authorized Mayor Pro Tem George Anderson, who was out of town Tuesday, to assume the powers and duties of mayor while Mayor Doug Simmons recovers from recent surgery.

■ Asked Town Clerk Janet Thomas to find out what the town can do to provide Social Security or other retirement benefits for employees. Mrs. Thomas, clerk since 1975, said a proposal to give Social Security benefits to employees was rejected in 1976 and hasn't been discussed since then.

■ Agreed to send a resolution to the Brunswick County Board of Elections so Calabash residents can vote by absentee ballot in municipal elections.

Jury Awards Child Abuse Victim \$275,000

(Continued From Page 1-A)

ured about his head, body and limbs and had suffered shock and injury to his nervous system.

The lawsuit claimed that Ms. Hewett and Hewett Sr. were present when the abuse occurred and had even "counseled, encouraged, advised and directed" their son to commit the acts.

In one instance, Gross and his younger brother and sister were told they would be burned if they wet the bed again, the lawsuit claimed. It accused Hewett's parents of covering up the abuse by lying to authorities that the children had caused their own injuries.

Their refusal to seek timely medical treatment for the children further aggravated the injuries, Gross' lawyers contend. The scalding incident is reported to have happened in May 1976 and wasn't discovered by the Brunswick County Department of Social Services until December 1976, when school teachers reported it.

In a verdict returned last Thursday, the jury found Hewett liable for \$225,000 in damages for causing Gross personal injuries and severe emotional distress. Ms. Hewett was found liable for \$50,000 for causing emotional distress.

The jury found that Hewett Sr. did not commit assault and battery against Gross and should not be held liable for any damages. In his answer to the lawsuit, Hewett Sr. said he had been working out of town at the time.

Testimony in court indicated that being burned by hot water wasn't the only form of abuse Gross received during the two-year period. Hewett was accused of using his fist, belts and sticks to beat Gross.

Foy said Gross was tied up and left inside a duffel bag overnight, was tied to his bed, repeatedly burned with cigarettes, had shampoo and shaving cream poured into his mouth while he was tied up, was tied up and locked inside a closet overnight and was made to sit on the toilet all night.

"He was dumped into the scalding hot water and held down in it," said Foy. "He has got severe disfigurement. The toes on one foot won't touch the floor. That's not to mention the emotional scars that will be there forever."

Hewett appealed his March 1977 conviction to the N.C. Court of Appeals, which ruled that he should receive a new trial. The state appealed that ruling to the N.C. Supreme Court, which in November 1978 upheld the decision and ordered that Hewett receive a new trial in Brunswick County Superior Court.

In his defense, Hewett had testified that he had seen the children get in the bathtub from time to time, turn on the water and wash themselves, according to the Supreme Court ruling filed Oct. 17, 1978.

The tub had glass doors that

could only be opened from the outside without falling off of the rollers, Hewett had stated. He said that when the scalding incident happened, he rushed into the bathroom, broke the glass out of the doors and grabbed the children from the tub.

He denied that he had ever held the children in the tub of hot water, the document states.

In the second trial in December 1978, a jury found Hewett guilty on two counts of maiming.

Gross, 20, now lives and works in Carolina Beach. He could not be reached for comment on the case.

Foy said he must now use the court system to try to collect from the defendants the award for his client.

"I think the jury system is a good system," said Foy. "As a lawyer, I'd always want more for my client."

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