

# Grant Gives Ocean Isle Sewer System A Boost

BY SUSAN USHER

Financing of the Ocean Isle Beach sewer system got a boost Monday from a funding source almost beyond the town's grasp—the Economic Development Administration.

On Tuesday, July 2, at 11 a.m., the Local Government Commission will sell \$2.6 million of the town's general obligation bonds to help finance construction of the system. The sale will leave the town with \$800,000 in approved bonds that can be applied to future sewer projects, indicated Mayor LaDane Bullington.

She told commissioners at their Monday afternoon that the town has been awarded a \$500 grant in federal EDA funds, the federal dollars needed to secure a much larger state grant for the system.

Receipt of the grant, once a certainty for the project, had been cast into doubt because of new federal policies dealing with funding of sewer systems on barrier islands. For similar reasons the town had already lost a previously secured buyer and low interest rate for \$600,000 of its bonds—the Farmers Home Administration.

But months of constant communication and lobbying resulted in the letter to the mayor from the director of the EDA's (U.S. Department of Commerce) Atlanta Regional Office. The town will also receive \$125 of the

state's own "304" money toward the project, a requirement of the federal grant accepted by the town board Monday.

Federal funds—even in a nominal amount such as the EDA grant—are required for the town to qualify for Clean Water Bond money from the state. The EDA money was to be used for a demonstration rotary distribution project at the sewer treatment plant.

The town's previous approval to receive \$415,566 from the clean water fund was thrown awry when award of the EDA grant became questionable.

As a contingency plan, the town redesigned its financing package for the \$5.6 million gravity collection sewer system to reflect no grant money whatsoever, levying a front footage assessment on property owners, charging impact and tap-on fees, and tapping capital reserve, accommodations tax and ABC store proceeds for additional revenues.

Mayor Bullington said the town was to hear this week from Moody's and Standard's & Poor's regarding its rating for the bond issuance.

The first of the general obligation bonds will mature in 10 years, with interest due biennially until then, on June 1 and December 1.

A 290-foot addition joined the town's street system Monday.

At Town Attorney Elva Jess' request, commissioners adopted a resolution accepting the dedication of Duneside Drive North to the town for maintenance.

The 290-foot stretch of subdivision road is 30 feet wide, 20 feet narrower than the standard street in town. It was recorded at the county courthouse and offered for dedication in 1968 but never became part of the system, for reasons not made clear Monday. It was never accepted by formal resolution of the board or by the town taking over its maintenance.

"At one time the town had a practice, if not policy, of not accepting streets less than 50 feet wide," said Odell Williamson, street commissioner. "I was hesitant to make repairs to it because of that and because the people there didn't want it."

Problems with the street's independent status arose when one of the several property owners objected when wrongly assessed a front footage fee for a sewer line scheduled to run along the length of the narrow roadway, for which the town had no utility easement. But the street extension had been included in some design maps for the sewer project.

The town offered to return the assessment fees, but in-

stead accepted the street, since most of its residents say they want the sewer service. After billing for the footage assessment, the property owners will have 30 days to pay, interest-free.

Jess offered resident John Porterfield no guarantee Monday that the town—but not residents of the street—will not face legal opposition to its action from other Duneside North property owners.

In other business, commissioners:  
•In response to letters from Calabash and Holden Beach, voted to notify Brunswick County of their disagreement with a proposal to charge towns user fees to dump garbage at landfill sites. "It is my feeling and that of the other towns that beach communities provide a high amount of tax revenue and return for the services provided and will provide a still greater proportion after reevaluation," said the mayor. "I don't feel we should have to pay for the use of the landfill."

•Heard a suggestion from Williamson to have realtors remind renters that town ordinances allow outdoor cooking at ground level only, not on the strand or on porches, because of the fire hazard posed.

Outdoor cooking fires have been the cause of several house fires, Williamson said. "The first thing you know they're going to burn something down."

## Judge Rules Against Meares Settlement

BY SUSAN USHER

The Brunswick County Board of Social Services had no authority to enter into a settlement with former employee Alinda Meares without approval of the county board of commissioners, a Wake County Superior Court judge ruled last Tuesday.

In an opinion that Brunswick County Attorney David Clegg said has "statewide implications," Judge James H. Pou Bailey declared invalid on all points a 1984 "declaratory ruling" by Harold H. Webb, then director of the Office of State Personnel.

Bailey sent the case back to the State Personnel Commission for an "entry of judgement" that complies with his ruling.

Ms. Meares' attorney, Dennis T. Worley of Tabor City, took exception to Bailey's ruling. He has 10 days from the date of issuance in which to enter an appeal.

In the July 27, 1984, declaratory ruling Webb had indicated that in the absence of a full-time director, the social services board qualified as the local appointing authority. As such, he said, it could enter into a binding agreement to resolve a personnel matter.

Ms. Meares, fired from her administrative secretarial position on Sept. 8, 1981, by former Social Services Director Jamie Orrock, has since pursued reinstatement through both the courts and the State Personnel Commission.

The social services board initially reached a settlement with her in May 1984 that was to provide for her reinstatement to the secretarial position with back pay and benefits and court and legal costs. It was reaffirmed August 21, 1984, after Webb's ruling was obtained, and was cer-

tified by the State Personnel Commission on Oct. 17, 1984.

That settlement with the social services board was the major premise of a lawsuit filed in Brunswick County Superior Court in December 1984 asking that the county be ordered to enforce the settlement and reinstate Ms. Meares. The suit was continued in April until the declaratory ruling could be reviewed, since it was the major basis for the action.

The impact of Bailey's decision will be known when the suit comes to trial.

Bailey's ruling will also affect a lawsuit filed in U.S. District Court in Wilmington, which also seeks reinstatement, back pay and compensatory damages.

Clegg said Bailey ruled that the social services board cannot be the appointing authority for any personnel position other than director. The director or acting director is the appointing authority for all other positions.

Also, he said a social services board also does not have the power to enter into a binding settlement or to issue reinstatement orders without the approval of the county commissioners; anything it did would be advisory only.

Local funds can be spent only 1) with the approval of the county commissioners; or 2) by court order.

"The Department of Social Services cannot buy even a paper clip without the county commissioners' approval," added Clegg.

Clegg was pleased with the ruling, saying the question of authority was one that needed resolution on both the county and state levels.

"Other counties have faced the same problem, but no one had the tenacity to fight it," he said. "They thought it wasn't worth it, that it would cost more to resolve than the settlement."

"But we faced such a staggering judgement—about \$100,000 if she won everything—it was worth it."

The cost has been minimal for this action, he added.

"This is something Brunswick County in the past has needed desperately—it needed settled once and for all what the chain of command is in the county," he continued.

The board of county commissioners is the governing authority for the county, Clegg said. "If you start telling anybody that the board of county commissioners isn't in charge, then who is?"

Duneside 'North'

## Brunswick Technical College Gets \$500,000 Appropriation

BY SUSAN USHER

A \$500,000 appropriation from the General Assembly will boost the Brunswick Technical College building program, Rep. David Redwine said Monday.

The money was part of a main budget bill approved this week by the state legislature.

"Quite frankly, I'm real pleased," he said. "I hope we can build another building or at least start one."

Redwine is also a member of the college's board of trustees.

The assembly had first debated whether to allow special appropriations, with the State Community Colleges board arguing that it should receive a lump-sum to appropriate among the community and technical colleges according to its own needs formula.

But under that plan, said Redwine, Brunswick Technical College ranked about 49th on the priority list and was unlikely to receive any money. The formula is based on the ratio of instructional square footage available to the hours needed, not on factors such as the school's divided campus and aging, temporary facilities.

The \$500,000 is in addition to \$375,000 obtained from the legislature in 1984 for the building program. Combined with money collected by the college foun-

datation, the college may have enough funds to begin Phase I of its second classroom building.

Phase I would cost about \$1.2 million. Only three of the college's programs are housed in permanent facilities on the main campus in Supply.

Phase I would rough in the lower floor of a second building and complete second-floor facilities for the business department and general education (college transfer) program.

As of mid-March the foundation had received \$15,000 in contributions to the building fund. These and other gifts will be matched by an anonymous donor. Contributions are tax-deductible.

The \$375,000 in state funds must be committed to a construction program by September or spent by December, or it will be withdrawn.

Redwine agreed with the Brunswick County Board of Commissioners that approval of a bond referendum is needed to meet the long-range needs of the college as they should be met.

"I'm glad the county commissioners recommended that," he said.

Commissioners approved \$218,000 in capital construction funds for the college this year, to be used to buy land adjoining the campus on which the school's option will soon expire.

## Board Members Want Cheese Program Back

Members of the Brunswick County Board of Social Services want the distribution of free federal cheese to resume in the county again—and soon.

The department has not participated in the federal food commodities program for approximately one year. The program distributes cheese and other surplus foods such as honey, butter and powdered milk to Food Stamp recipients, eligible low-income families and senior citizens.

Board members Louis "Bobby" Brown of Navassa and Frankie Rabon of Town Creek said they've been getting calls about the loss of the program.

Three months ago, the board discussed the problem with staff members and asked them to reinstate the program using whatever means were necessary.

Staff members had said there had been problems with the use of volunteers to distribute the foods and

that the department was shorthanded and would have trouble handling the distribution on its own.

Food Stamp supervisor Sandy Jackson had proposed a contractual arrangement with the Shallotte Lion's Club, but board members said any such agreement would have to go out for bid. They preferred the agency run its own commodities program.

Monday, they repeated that directive in sharper tones.

"Whatever it takes to get the cheese, that's what we want done," said Rabon.

Brown, directing his comments to Acting Director and board Chairman Betty Varnam, added, "Act like a director—tell them to get the cheese, to get the works."

Board members also approved a Title II contract with the Council of

Governments Office of Aging for \$14,256 to provide chore services to clients over age 60 and meeting other criteria set by the department. Currently seven persons are served under the program.

Under the contract the department had to arrange a means for participants to voluntarily contribute to the program. They will get pre-addressed envelopes that can be sent directly to the county finance office, if they choose to contribute.

Supervisor Evelyn Johnson said she expected little if any contributions.

In other business, they authorized Ms. Johnson or another social worker to travel to New York to return a child to Brunswick County for care as directed by an order issued in juvenile court Monday.

They also adopted a proposed 1985-86 budget, which was approved by county commissioners several hours later with deletions.

Rabon said he liked the budget as presented, but added, "It may need adjusting in light of what we (commissioners) are doing."

It was member Barry Frink's last meeting. He had been serving the unexpired term of Hoyal (Red) Varnam.

According to Chairman Betty Varnam, the board has until August 15 to fill the vacancy. The other members of the board are to appoint his successor, while all other seats are either county or state appointments.

The board also met behind closed doors with its attorney, Mary Easley, to discuss several legal and personnel matters.

## Ocean Isle Police On Fireworks Alert

Ocean Isle Beach will crack down on the use of fireworks beginning next week, Police Chief Jerry Gurganus said Monday.

Illegal under state and town ordinances, they also pose a fire hazard, he said.

Gurganus plans to schedule extra patrols of both the strand and streets to watch for use of fireworks.

"We're already having problems with fireworks this season and it's going to get worse," he said. "We haven't had enough rain lately. It's dangerous."

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