

# Delegation Asking For Study On Future Courthouse Needs

BY TERRY POPE

An increase in the county's population has also resulted in an increase in criminals.

Brunswick County's two 75-seat courtrooms have become crowded, a delegation from the 13th Judicial District told Brunswick County commissioners Monday night.

The judges and court personnel who made up the delegation told the board that conditions will get worse if the county doesn't build additional courtrooms soon.

"We don't have any control of our inventory," said Judge Giles R. Clark, senior resident superior court judge for the 13th Judicial District.

The "inventory" is the number of criminals that filters through the Brunswick County court system. Statistics show a significant increase from 1980 in the number of cases tried in Brunswick County's two courtrooms. The courthouse was built in 1978.

"It is getting critical, sir," Clark told Kelly Holden, chairman of the board. "We're getting mighty close up."

The delegation asked commissioners to name a committee to study future courthouse needs and to include court personnel on the panel.

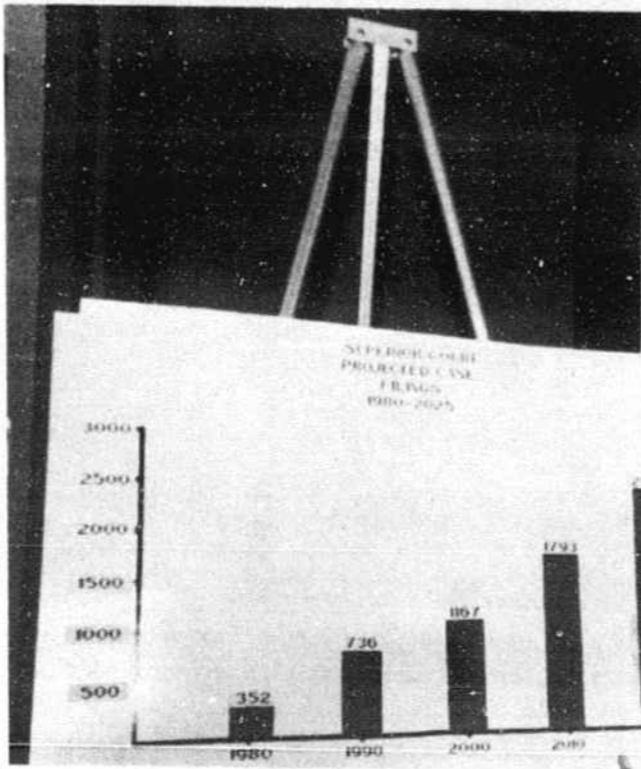
Commissioners took no action Monday on the request.

Clark, who has served in the 13th District since 1968, was a district court judge until 1975, when he was appointed to the superior court bench. He said the number of judges has increased in the district, but scheduling around two courtrooms remains a problem, especially when a trial is carried over into the following week.

"These things don't happen every time and everyday," Clark said, "but they do happen frequently."

In 1980, approximately 352 criminal cases were handled in Brunswick County Superior Court. Last year, Clark said the same system handled 736 cases.

Projected figures indicate Brunswick County is expected to handle 1,167 Superior Court cases in the year



**SUPERIOR COURT** Judge Giles R. Clark presents a study to Brunswick County Commissioners Monday that projects the county's court facility needs until the year 2025.

2,000, according to the delegation's report, "Brunswick County Courthouse Facility Needs, 1990-2025."

Other members of the delegation that helped compile the report were Superior Court Judge William C. Gore Jr., Chief District Court Judge D. Jack Hooks Jr., District Court Judge Napoleon "Poli" Barefoot Jr., Clerk of Superior Court Diana Morgan, District



STAFF PHOTO BY TERRY POPE

Attorney Rex Gore and N.C. Trial Court Administrator Steve Foster.

Hooks said the number of cases in Brunswick County District Court increased from 4,919 in 1980 to 7,353 in 1990. The figure will almost double, to 13,423 projected cases in the year 2000, Hooks predicted.

The county converted a small courtroom at the court-

house last year for use as a grand jury room or court room for smaller cases.

Ms. Morgan said the relationship between county government and its court system is a unique one in the state.

"I've been pretty much smug about it at some of the meetings I've attended," Ms. Morgan said.

Gore said without expansion the courthouse will not be able to handle the future caseload of the district attorney's office.

"We live here," said Gore, of the long hours for court personnel. "We not only have the work interest, but we want our people to have what's best."

The number of superior court sessions has been increased by three additional weeks after July because of the increase in caseload, Clark said. District court is being held 14 days a month instead of 11 days a month this calendar year because of the higher caseload.

## Other Business

In other business, the board:

■ Approved a contract with Tax Management Associates, which has offices in Charlotte and Raleigh. TMA will work on a contingency basis, keeping 35 percent of tax revenue recovered from audits of business property tax listings. The company will audit large business accounts to see if they are in compliance with state and county tax laws. The county will keep 65 percent of recovered revenues. The company tries to uncover tax mistakes, either made intentionally or unintentionally, by large firms that have stores in the county.

■ Approved in concept a program that will add flouride to county water. Public Utility Director Jerry Webb presented figures to the board Monday that indicate the county will need \$57,000 to start the flouridation program. Last week, the Brunswick County Board of Health began lobbying commissioners to approve the program, which was approved in concept last April by a previous board of commissioners. The county will apply for a state grant to fund the program.

## Benefit To Honor Clemmon's Memory

A June 30 program that was to honor longtime Brunswick County educator James (Jimbo) Clemmons while raising funds for a Leland area charity will be held, as a memorial to Clemmons.

He died March 12 at his Leland home of a heart attack. Clemmons had served 33 years as principal of Lincoln Primary School, retiring from the post to begin a six-year stint on the Brunswick County Board of Education representing District 5. The Democrat lost his re-election bid in November to Republican Yvonne Lewis Bright.

"A Day In School Honoring J.F. Jimbo Clemmons," will benefit Helping Hands in Brunswick County. Volunteers with the non-profit Leland group work with impoverished families to improve their living conditions.

The program will be held Sunday, June 30, at Leland Middle School. It will begin with a worship service at 11 a.m., followed by lunch at 12:30 p.m. and a memorial tribute to Clemmons at 2:30 p.m.

Tickets are \$10 per person, with proceeds going to Helping Hands. Tickets and more information are available from either Calvin and Angela Moore or the Rev. and Mrs. Thurman Everett of Leland. Everett can be reached at either 253-4301 days or 371-2196 evenings.

## DA Drops Murder Charge Against Long Beach Man

A charge of second-degree murder was dismissed Tuesday evening against a man who had been accused in connection with the weekend death of his housemate after an argument between the two.

Steven Allen Powell, 39, of Long Beach, was released shortly before 5 p.m. Tuesday from the Brunswick County Jail, where he had been held under \$100,000 bond.

Powell had been charged by Long Beach Police with second-degree murder in the death Saturday night of John Spurgeon Cain Jr., 66. Tuesday night District Attorney Rex Gore said he decided to voluntarily dismiss the charge after conferring with the Long Beach officers handling the case, and others.

"We discussed the evidence they had and the autopsy report and I talked with the medical examiner,"

he said. "We decided the evidence we had was insufficient to attempt to prosecute for second degree murder, so we took a dismissal."

Gore said the autopsy conducted Monday by the regional medical examiner in Jacksonville showed that Cain had suffered a heart attack and had hardening of the arteries. There was no evidence of physical injury. The autopsy was ordered by Greg White, county coroner.

Cain died following an argument with Powell at Cain's home at 114 N.W. 14th St., Long Beach Saturday night.

Officers were dispatched to the house in reference to the fight. When they arrived around 8:30 p.m., Cain was unconscious but still breathing. He was pronounced dead at Doshier Memorial Hospital in Southport about an hour later.

## County Approves 2,099 Road Names

Eighteen people attended a public hearing Tuesday night on proposed changes in 2,099 county road names, but not one spoke up.

At the close of the 10-minute hearing, Brunswick County Commissioners adopted the complete list by unanimous vote, clearing the way for the next step toward a countywide 911 emergency communication system.

The sparsely-attended hearing was held in the Public Assembly Building at the Brunswick County Government Center at Bolivia.

"I think it is a compliment to the staff that we don't have anybody in Brunswick County who is unhappy with the job they've done," said District 3 Commissioner Gene Pinkerton.

Road signs will be ordered immediately. A part-time temporary crew of four workers will begin erecting the signs as soon as they arrive, in approximately six weeks.

The new signs will designate a direction for all roads, streets and cartways, while a number of names have been changed to eliminate duplicate or too-similar names within the same postal area.

"The next step is house numbering," Brunswick County Planning Director John Harvey said. Assigning of numbers will begin immediately and property owners will be notified of their new house numbers in mid-July.

"In January, 911 will start whether all the signs are up and ready or not," said Harvey.

County Commissioners have the power to change the name of any road on the list adopted Monday. However, each must go to public hearing individually, said Harvey.

After naming county roads in 1980, the county received 16 petitions to change specific road names and each request was acted on separately by commissioners.

## Existing House Doesn't Have To Be 'Pig In A Poke' For Would-Be Buyer

BY SUSAN USHER

Buying an existing home can be a smart move—or a disaster. The outcome may depend on whether a prospective homeowner actually knows what he is buying.

To avoid the "pig in a poke" syndrome, take a good look before making a commitment to buy or get a professional home inspection service to look for you.

The need for a close examination of the structure becomes especially important for those looking to buy an older home, especially if it was built when or where no building inspection program was in existence, says Thomas (Tommy) Birmingham of Leland.

Birmingham, now a planner with the Brunswick County Planning Department, speaks from experience—as a former owner of a home inspection service, former Holden Beach town administrator and a former building inspector in Hickory, Charlotte and Ocean Isle Beach.

Brunswick County, for example, had no building inspection program until 1985, he said. "People could do what they wanted."

Presence of a local government inspection program gives some assurance of structural integrity, since inspectors check to see that work is done according to state building code. However, said Birmingham, the programs can't provide any protection or assurance that kitchen appliances function properly, faucets don't leak or that the carpet or floor tile are in good shape.

Birmingham recommends making a step-by-step check of the house inside and out, from roof to ground, starting with a visual once-over when you drive up.

How much you can learn about the house will be limited somewhat if the electrical service or water supply is shut off.

"The first thing I do is just look at the general appearance," he said.

Much can be learned from checking the roof at a distance, even if you don't climb on the roof itself, for example: Are the corners cracked? Do the shingles lay flat?

By carefully checking the edge of the roof line, you may be able to tell how many courses are on the roof. That's important to know, Birmingham said, because state building code only allows two "courses" or layers of roofing because of the weight of the material. If your roof already has two courses, then if it needs attention you will first have to go to the expense of removing the old roofing material.

Many Brunswick County homes are served by drinking water wells and most by septic tanks. Birmingham checks both. He checks the pump for corrosion and turns on an outside spigot to check the flow and qualities of the water. He looks for evidence of septic tank failure: If the house has been in use in the past several months and the tank is not functioning properly, there will be standing water or a very spongy area in the yard that has an odor and a film.

### Solid Foundation Needed

A solid foundation is important. If the house has pilings, their integrity can be checked with a knife inserted in the wood where it enters the ground. "If it's rotten, the knife

will go right through."

He also checks to see how the pilings are attached to joists or beams. "Some older homes are just nailed," he said. "You need a pretty large bolt and also some diagonal bracing to prevent back and forth movement."

Birmingham looks closely at foundations. In brick or block, he looks for cracks. If they exist, it's a good indication the footing is inadequate and that settling is occurring. That settling could eventually lead to structural damage or loss of a wall.

He checks brick walls for signs of cracking as well. If wood siding is used he checks its overall condition, looking for peeling paint or fading stain, mildew and wood rot.

From outside you can also check the condition of doors, windows and screens and determine if storm windows or insulated glass were used.

On cottages with outside stairways, Birmingham recommends checking the rails and the treads, which are subject to buckling and splitting.

### Corrosion A Concern

Chimneys are a gray area for inspection. Brick chimneys are subject to cracking, while prefabricated chimneys are subject to corrosion in this area because of the high salt content in the air. Prefabricated chimneys are supposed to be installed with at least an inch of space from any wood; Birmingham said that's not always what happens, but that there's no way to check it in an existing house.

Corrosion can also be a problem for heat pumps. "If they last five years on the beach you're doing good," said Birmingham. Ideally, the unit should be placed where rainwater can reach it and wash away the salt.

Underneath the crawl space or pilings, Birmingham has another list of items to check, starting with the framing. He recommends looking for termite damage, which is easily evident. "The termites eat the cellulose out of the wood and the wood looks like Swiss cheese," he said.

He also checks the floor for insulation. If the house is on pilings, as with standard beach homes, plywood may cover the insulation. You may be able to check the insulation at a hole where a pipe enters the house.

If plumbing pipes are exposed they could break and freeze—a scenario more likely in a house on pilings than on a foundation.

Birmingham recommends hurricane strapping on houses not only on the beach but within several miles of the water. The straps help hold the house together under

strong winds.

### Inside The House

Inside the house, Birmingham recommends starting once again with a general look at its condition and appearance—cabinets, walls, flooring, then a closer look at specifics.

Flooring in the kitchen and bath warrants a close look; these areas are subject to damage. If the floors are tiled and the tiling is old, water may have seeped through the cracks and rotted the plywood subflooring underneath.

In the bath, rotting of the subflooring is common around the toilet and sink. "If it is the least bit spongy, chances are it is rotten," he said.

Check sink faucets for drips and check the pea traps underneath as well. Flush the toilet to see if it cuts off promptly.

Check the heating and air conditioning systems. Professionals use a small thermometer than can be hung in the duct itself, quickly registering changes in temperature.

Closets are another concern. If a home was built primarily for rental to tourists, storage space may be inadequate for full-time occupants. "I know," said Birmingham. "We lived in one like that."

Check the panel box: Turn on a light or two and then see if the breakers function properly.

Check the fireplace to see if the fire brick is cracked.

You can check for those in the attic, depending on the pitch of the roof.

In the attic, check the framing and sheathing beneath the roof for

water staining, evidence of leaks, and check the insulation.

### Birmingham favors prefabricated trusses.

But, if the framing is stick-built, he suggests checking the size of the material used and the span used. A local government building inspector can tell you what the appropriate distances should be for the materials used.

If electrical current is available, an inexpensive device is available to use in checking whether outlets work. You should also check to see if all appliances are working, including units on the stovetop and in the range.

Along with hurricane strapping underneath, Birmingham recommends use of hurricane clips to help secure the roof to the house—one clip on every rafter, including porches.

He says porches are frequently left unplugged—and tear away easily during a hurricane or high wind storm.

If all of the items checked are in pretty good shape, chances are the house is in pretty good condition, says Birmingham.

If not, with the information from your housing inspection, you may decide the house isn't what you were looking for after all. Or, you may begin negotiating with the owner to make certain repairs or to cut the price if you choose to handle the repairs yourself.

"Personally," Birmingham said, "I'd rather have them fix it, so I don't have to move into something that doesn't half work and go to the trouble of finding people to do the work."

## Well Suited For Easter



**SHIRTS** by Alexander Julian, Santana, Saturdays, Gant, Enro, Salty Dog, Boston Traders, B.D., Baggie, AT Ease

**SLACKS** by Berle, Sansabelt, Farah, Levi, Dockers, Duck Head, Bugle Boy, Dickies

**SUITS and SPORTCOATS** by Palm Beach, Private Label, Racquet Club

Handsome Selection of **SILK TIES**

**Rockport and Sperry Topsider Shoes REDUCED**

You'll find everything here to please your individual tastes...distinctive quality, excellent choice and personalized assistance.

Compliment and coordinate your entire wardrobe. Take top billing this holiday.



**B. Kirby & Company** CLOTHING FOR MEN

Mon-Thurs 9-6, Fri & Sat 9-7  
COASTAL PLAZA, SHALLOTTE • 754-5000