

Road Paving Decisions Made By State Highway Commission

The North Carolina State Highway Commission, and not County Boards of Commissioners, has the authority to determine what secondary roads will be paved.

Secondary Roads Officer, Harold Makepeace of the State Highway Commission, has issued this statement to clarify the position of both the State Highway Commission and County Commissioners.

"Some people seem to have the idea," said Makepeace, "that County Boards of Commissioners have the power to select roads

in their county for paving. This is very definitely not the case." The Secondary Roads Officer pointed out that all paving on rural secondary roads will be done on the basis of a paving priority list now posted in every county court house throughout the state.

Makepeace added that the last State Legislature directed that County Boards of Commissioners be given more information concerning secondary road policies of the Commission and that they be given an opportunity of working with Highway Commission engineers in the matter of additions to the state highway system, deletion of roads from the system and matters of budgets, but in all cases, the State Highway Commission has the final authority in all secondary road matters.

The State Highway Commission set down the ground rules for the paving of rural secondary roads shortly after it took office last July. Under the Commission approved plan, those roads which carry fifty vehicles or more per day were rated for possible paving according to the public service rendered by each road in each county. Roads were rated and given points in accordance with the number of occupied dwellings, schools, churches, commercial establishments, etc., on the basis of public service characteristics such as mail routes and school bus routes, and on the basis of the average 24-hour annual traffic count.

The roads were then listed in the order of importance on the paving priority list. Makepeace emphasized that the State Highway Commission will follow this priority list and pave the top priority roads as rapidly as funds become available for each county. County Commissioners do not have the authority to change this priority list in any way.

Unpaved rural secondary roads which are not rated for paving under the priority plan will be improved in an effort to provide all-weather service to the 25,000 miles of such rural roads not rated for paving. A certain portion of available county funds will be set aside for such improvements as widening, better drainage and adequate surface.

Secondary Roads Officer Makepeace said the 1957 General Statutes give each Board of County Commissioners the opportunity of making recommendations concerning their county road improvement plans. For example, the Commissioners may suggest what percentage of available funds might be used for paving and what portion could be set aside for improvement to unpaved roads.

The law stipulates that such recommendations must be made in writing to the State Highway Commission, and in all cases, the Commission has final authority.

"This is absolutely necessary,"

said Makepeace, "since the State Highway Commission is responsible to the people for the expenditure of all secondary road funds."

All petitions for adding roads to the system and deletion of secondary roads from the State Highway system must carry the approval of the local County Board of Commissioners. Petitions for the addition of a road to the State system should be prepared by residents and submitted to the local County Board.

Since all standards for the addition of roads to the system are determined by the State Highway Commission itself, the County Board of Commissioners generally approves such requests and forwards them to the Commission in Raleigh.

The State Highway Commission cannot abandon any road on its system without the written approval of the County Board of Commissioners of the county in which the road is located. "We cannot take a road off the State system," said Makepeace, "until we have the consent of the County Board."

In issuing the statement, Makepeace called special attention to the new role of Division Engineers of the Highway Commission. "If there are any questions concerning your road," said Makepeace, "we suggest you get in touch with our local Highway Division Engineer or District Engineer first."

North Carolina has fourteen Highway Divisions with a Division Engineer and generally two District Engineers for each Division.

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SOIL STEWARDSHIP WEEK
MAY 11-18, 1958

SENATOR SAM ERVIN SAYS

Washington — Action by the Senate Judiciary Committee last week evidences the growing concern that exists in Congress that

the United States Supreme Court should refrain from further invading the field left to the Congress and the States by the Constitution.

There is room for disagreement as to the particular remedy for the encroachment and usurpation by the court. I voted for the proposal in the Judiciary Committee because I honestly feel that the Supreme Court has far exceeded its proper bounds by acting as a legislative body contrary to the

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Usurpation

My hope is that this action will serve to call attention to the Court that it should stick to its legal knitting and desist from moving into the legislative field. Criticism of the Court does not come easy with me; I respect our democratic institutions, but I am compelled to speak out against what I am convinced is usurpation of power whether it be in the judicial, legislative or executive branches. If we are to preserve the balance between the States and the Federal Government and the division of power within the Federal government, it must be done by insisting upon legal and constitutional principles. No public official should be above criticism, and I cannot subscribe to the theory that the court is sacrosanct.

Vote Unexpected

The overwhelming vote in the committee was unexpected. By a vote of two-to-one majority my colleagues took this action to re-

port the bill which should produce important national debates. A debate of this nature can be very constructive. It will inform the people of the importance of separation of powers and the wisdom of the Founding Fathers in establishing this concept.

Dangers of Encroachment

The dangers of judicial encroachment are numerous. Perhaps one of the most serious is substitution of personal notions of what the law ought to be for what the law is. Another is the methodical reduction of the States to meaningless zeros, the ultimate of the miscomprehension that Washington can do everything better.

With these things fresh in mind, the Judiciary Committee has now acted. I favor a great debate on this issue. Such is long overdue. The debate should not be section-

al, reckless or irresponsible.

Military Pay Bill

The Senate unanimously passed the military pay bill last week. While considering the proposal, I was struck by the fact that the Armed Services are today in keen competition with the business world for trained manpower to carry on our complex defense establishment. Highly skilled personnel have been leaving the services for employment in business. Congress had no alternative but to work out a plan, an incentive plan, whereby a career in the Armed Forces will be more attractive to these capable and highly trained people.

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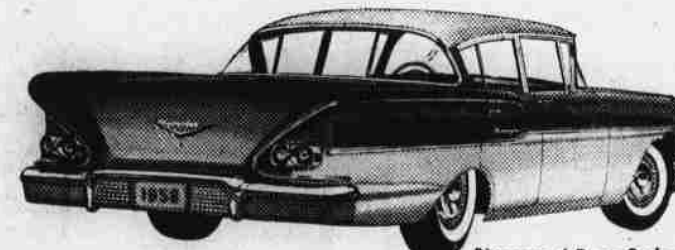


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