

Seven Constitutional Reform Issues To Be Ballot For North Carolinians November 3

When North Carolinians en-stands of the General Assembly voting booths November 3, they will face seven important issues of constitutional reform alongside the names of candidates for local, state and national offices.

Although little popular attention has been paid to the fact to date, the N. C. Constitution stands to undergo its most extensive overhauling since it was written in 1868.

The range of issues will be broad. One "amendment" would generally update the document's wording.

Another amendment proposes new rules for official decisions about state and local governments' taxing and borrowing procedures.

Two amendments would affect the executive and legislative branches of state government. Another involves state funds for "worthy and needy" college students in the state.

And two amendments directly affect the voter-taxpayer.

Proponents of the changes say they are designed to give the state a modern charter of legal principles and practices without jeopardizing traditional protection of citizens' rights. No significant opposition to the amendments has arisen.

The proposed changes fit a pattern in North Carolina that finds its beginnings with the state's first Constitution of 1776. That one was written by a convention, and though it was never submitted to a vote of the people, it carried a Declaration of Rights that is retained in the editorial revision on November's ballot.

The original document was amended in 1835 to make the governor subject to popular election (the General Assembly had picked previous governors) and to make the General Assembly more representative of popular interests.

In 1868, during Reconstruction, the state's second Constitution was written. It received the approval of the people in a statewide vote. The U. S. Congress also approved it, which was necessary for North Carolina's re-admission to representation in Congress.

Since then, the people have voted 97 times on amendments, approving 69. During the 1960's ten amendments, including one on extensive judicial reform, have been approved and only one has been rejected.

The amendment on November's ballot for editorial revision of the Constitution would change 1968-vintage wording and make it understandable to present-day readers.

Obsolete references that might mislead the unwary reader have been taken out. No controversial additions have been made.

The editorial changes and three of the other amendments appearing on the ballot were results of the year-long work of the 25-member State Constitution Study Commission, appointed on the initiative of former Gov. Dan K. Moore.

Under the chairmanship of Emery B. Denny, former Chief Justice of the N. C. Supreme Court, the commission comprised a membership of lawyers and businessmen, farm and labor leaders, two Negroes, two Republicans and former Gov. Luther Hodges.

Other amendments proposed by the Study Commission that will be on the ballot are:

—An elimination of the present Constitution's statement on the minimum exemptions for state income tax. This would place establishment of minimums in the

maximum of 10 percent on state income tax would not be changed, but the amendment would make possible the eventual simplification of state income tax forms.

—A requirement that the General Assembly reduce the number of state administrative departments to not more than 25 by 1975.

Also, the governor would be authorized to reorganize state agencies with an eye toward making the executive branch of state government more manageable. Such agencies now number more than 200.

—A change in the distribution of "escheats," the legal term for property acquired by the state from persons who die without heirs or other lawful claimants to their property.

Although the amount derived from escheats fluctuates each year, it would be used to establish a scholarship fund for "worthy and needy students" at each of the 15 state-supported institutions of higher learning.

Past escheats, which since 1789 have accumulated to \$5.3 million in principal, earning about \$180,000 a year in interest, would continue to benefit needy students on the six campuses of the Consolidated University of North Carolina.

A fifth proposal on the November ballot originated with the Local Government Study Commission. The most extensive single-purpose amendment on the ballot, it received the stamp of approval of the State Constitution Study Commission.

This amendment would make substantial changes in present constitutional provisions for state and local government taxing and borrowing procedures. Among the most important features of the amendment are those that would authorize the General

Assembly to enlarge the powers of city and county governing boards to finance needed services.

Old restrictions, including several barriers to effective city-county consolidation, would be lifted, and the General Assembly clearly designated as the proper body for initiating uniform, statewide fiscal policy.

The capitation, or "poll," tax would be abolished. Unchanged would be the present "two-thirds limitation" on

governmental borrowing and present provisions for classification and exemption of property.

Two of November's proposals were originated by legislators during the 1969 session of the General Assembly.

Sen. Herman A. Moore of Mecklenburg sponsored the amendment that would allow the General Assembly, upon petition of three-fifths of the members of each house, to call itself into special session. This power now rests solely

with the governor, acting with the advice of the Council of State.

Rep. Henry Frye of Guilford proposed an amendment that would erase the constitutional requirement that each person wishing to register to vote be able to read and write any section of the Constitution in English.

This literacy test has already been eliminated in 39 N. C. counties, containing 42 per cent of the state's 1960 population, under the federal

Voting Rights Act of 1965. And 1970 amendments to the federal law abolish all use of literacy test as a requirement for voting for a five-year period after January 1, 1971.

Consequently, elimination of the literacy test from the N. C. Constitution would be mostly of symbolic value.

Each of the amendments on the ballot has been approved by a three-fifths vote of both houses of the General Assembly and requires for its

adoption a simple majority of those who vote on it in November. This method of amending the state Constitution has been used consistently since 1875, when the last constitutional convention was held.

During the 1969 session, legislators considered another 21 amendment proposals and rejected them. Several of the rejected amendments proposed strengthening the office of the governor by giving him such powers as a veto (all

other 40 governors have one) and allowing him to succeed himself in office.

Other rejected proposals would have required all judges to be lawyers, given four-year terms to state senators, and lowered the voting age to 18.

On the November ballot, if an amendment is approved it will become a part either of the present Constitution or the revised Constitution, depending on the fate of that proposal.

and Wine During Certain Hours From Saturday Until Monday of Each Week Pursuant to G. S. 18-107.

Be It Ordained by the Board of County Commissioners of Chowan County:

Section 1. That pursuant to the provision of G. S. 18-107 it shall be unlawful for any person, firm or corporation to sell beer or wine anywhere within Chowan County, exclusive of that portion of the county which lies within the corporate limits of any incorporated town or city, between the hours of 11:45 o'clock P. M. on Saturday and 7:30 o'clock A. M. on the following Monday.

Section 2. That any person, firm or corporation which violates any of the provisions of this Ordinance shall upon conviction be fined not less than \$50.00 and/or imprisoned not less than thirty days, and his or its license to sell beer and/or wine shall automatically be revoked by the court, or as otherwise provided by law, all as prescribed by G. S. 18-108.

Section 3. That this Ordinance shall become effective immediately upon its adoption.

Introduced by David T. Bateman, Commissioner.

Approved as to legal form by John W. Graham, Attorney.

Ordinance adopted 9-14-70.

Sheriff Toppin requested the Commissioners to assist the Town of Edenton in paying a night dispatcher that messages be relayed properly. The Civil Defense director supported his request. No action was taken.

George Lewis, chairman of Planning Board, introduced to the Board Tom Hauser, who will be working with the Commissioners in county planning. Mr. Lewis commended Pete Thompson, Extension chairman, for the work he is doing in county development. Mr. Lewis told the Board of his appreciation for the business of the county's deposit service given to Peoples Bank. He also reported that space was inadequate in the bank to handle food stamps. He asked that consideration be given toward some other source for handling food stamps. No action was taken.

Upon motion of David T. Bateman, seconded by C. M. Evans and duly carried that C. A. Phillips be authorized to place two benches in front of county office building and have appropriate signs made for the building.

Luther Parks, Edenton fire chief and Frank W. White, Jr., chief of Cross Roads-Center Hill Fire Department, appeared before the Commissioners requesting \$1,100.00 to finance a truck to be used as an equipment truck.

Upon motion of C. M. Evans, seconded by David T. Bateman and duly carried that the request to purchase an equipment truck be granted. The Commissioners highly commended the fire departments for their outstanding work.

Robert Rowland, architect for Williams & Associates, reported to the Commissioners his progress in drawing plans for a courthouse and jail. He advised the Commissioners against renovating the county office building because of the expense that would be involved. He will meet with the Board again concerning the drawings for a courthouse and jail.

The following reports were accepted and ordered filed:

County Service Officer; Coroner; County Extension Department; Treasurer; Tax Collector; Department of Social Services; Rescue Squad; County Accountant; Grand Jury.

There being no further business, the meeting adjourned.

J. CLARENCE LEARY, Chairman.

BERTHA B. BUNCH, Clerk to the Board.

W. B. GARDNER, Administrator.

Edenton, N. C., September 6, 1970.

The Town Council of the Town of Edenton met this day in regular session at 8 P. M. in the Edenton Municipal Building. Members present: George A. Byrum, Mayor, James C. "Pete" Dail, J. D. Elliott, Leo Katkaveck, David D. White, W. H. Hollowell, Jr., and Clyde Hollowell.

Mayor Byrum called the meeting to order and Councilman Clyde Hollowell gave the invocation.

During the Fire Department report, Fire Chief Luther C. Parks requested the Council's approval of the transfer of the outboard motor boat now owned by the Volunteer Fire Department to the Chowan Rescue Squad. Motion by Dail, seconded by Elliott, and unanimously carried approving the transfer of this boat to the Edenton-Chowan Rescue Squad.

Mayor Byrum complimented the Street Department personnel on their beautification work and Superintendent J. C. Parks in a report in a meeting he attended in Asheville relative to sanitation collection and disposal problems.

Mayor Byrum informed the members of the audience present at this meeting that was called as a public hearing to hear requested zoning changes on North Broad and West Carteret Streets. Administrator Gardner informed members of the Council that the Edenton Planning and Zoning Commission held their regular meeting on August 4, 1970, voted unanimously to recommend the two changes requesting the zoning map of the Town of Edenton. The changes are as follows:

1. East side of North Broad Street from the Sunoco Station to Albemarle Street from residential to downtown commercial to the depth of the back property line of the Henry Allen Powell property.

Motion by W. H. Hollowell, Jr., seconded by David G. White and unanimously carried approving this above recommendation and ordering a change in the zoning map from residential to downtown commercial.

2. To the South side of West Carteret Street from a point of 154 feet from the Vivian Baker line to the old Norfolk Southern right-of-way along the North property line of lots on the North side of West Albemarle Street, being a portion of the lot owned by Henry Allen Bunch and Mrs. Ruth D. Bunch from residential to unoffensive industry.

Motion by Dail, seconded by Clyde Hollowell and unanimously carried approving the zoning of the above property owned by Henry Allen and Ruth D. Bunch from residential to unoffensive industry and ordering the town map changed accordingly.

Mr. Merrill Evans requested the Council to approve the Morgan Park plan and further stated that all rights-of-ways requested by the Electric & Water Department Board had been agreed to that Board, that water and sewer would be installed at the owners' expense at the playground area would be deeded to the town and three of the streets would be paved with the width of 24 feet with an asphalt type curb and gutter. At a later point in the meeting the Council unanimously agreed to the acceptance of the Morgan Park plat as soon as the following was completed to the town's satisfaction:

1. A deed prepared transferring ownership from the lift station site and roadway leading thereto and the public playground to the town.

2. A written easement to cover the electric utilities giving the town quite an access to operate and maintain said electric system.

3. Written specifications on the type asphalt curb, paving (width, base course and so forth), back filling behind the curb, and storm drainage for approval by engineers of the Town of Edenton.

4. Some type of bond or other surety guaranteeing to the town that payment of funds for the developer's part of the water and sewer lines as well as monies to provide the specified street and storm drainage work.

5. It is agreed by the Council to accept the best grade of asphalt curb containing a high aggregate count similar to the asphalt curbs constructed in the subdivision of the Town of Murfreesboro.

It was directed by the Council that a letter containing these provisions be written to Mr. Evans and that as soon as these items were completed that the plat would be accepted. Mayor Byrum appointed Councilmen White and W. H. Hollowell, Jr., to work with him on the above matters.

Motion by Elliott, seconded by Katkaveck and unanimously carried adopting the following resolution:

Whereas, the Town Council of the Town of Edenton has determined that in the best interest of the town to extend its water and sewer systems and that in order to provide such extensions it is necessary to assess part of the cost thereof upon the real property abutting thereon.

Now, Therefore, be it resolved by the Town Council of the Town of Edenton as follows:

1. That the water and sewer systems of the Town of Edenton shall be extended by constructing water and sewer lines over, along, and to the following property:

Water and sewer on Paxton Lane from Old Hertford Road, water and sewer on a portion

Proceedings Of Edenton Town Council And County Commissioners

Edenton, N. C., October 1, 1970.

The Town Council of the Town of Edenton met this day in special session at 2:30 P. M. in the Edenton Municipal Building.

Members present: George A. Byrum, Mayor, James C. "Pete" Dail, David G. White, Leo Katkaveck, W. H. Hollowell, Jr., and Clyde Hollowell.

A discussion was held relative to the acceptance of plat of Morgan Park and was determined that most of the requirements established by the Council had been met by the developers. Motion by W. H. Hollowell, Jr., seconded by James C. Dail and unanimously carried approving the final plat for Section B of Morgan Park subject to the following conditions:

1. An agreement on the part of the developers be given the town stating that they will comply with all recommendations of the town's engineers.

2. That base material and paving, etc., will meet North Carolina Highway specifications.

3. That the town would have the right to inspect all phases of construction.

4. That the developer agrees to render payment for the water and sewer lines in full upon the commencing of the work (this figure being approximately \$27,000.00).

5. Instructing the Administrator to inform Peoples Bank & Trust Company that the Council considers their letter on the financial arrangements as a commitment and the town requests to be notified of any changes thereto.

Letters from the N. C. Highway Commission was read and in view of the fact that the Commission is going to remove all parking from Granville Street between Queen and Carteret that the Commission be requested to allow parking on Sundays.

There being no further business, the meeting adjourned.

W. B. GARDNER, Administrator.

Edenton, N. C., September 6, 1970.

The Town Council of the Town of Edenton met this day in regular session at 8 P. M. in the Edenton Municipal Building. Members present: George A. Byrum, Mayor, James C. "Pete" Dail, J. D. Elliott, Leo Katkaveck, David D. White, W. H. Hollowell, Jr., and Clyde Hollowell.

Mayor Byrum called the meeting to order and Councilman Clyde Hollowell gave the invocation.

During the Fire Department report, Fire Chief Luther C. Parks requested the Council's approval of the transfer of the outboard motor boat now owned by the Volunteer Fire Department to the Chowan Rescue Squad. Motion by Dail, seconded by Elliott, and unanimously carried approving the transfer of this boat to the Edenton-Chowan Rescue Squad.

Mayor Byrum complimented the Street Department personnel on their beautification work and Superintendent J. C. Parks in a report in a meeting he attended in Asheville relative to sanitation collection and disposal problems.

Mayor Byrum informed the members of the audience present at this meeting that was called as a public hearing to hear requested zoning changes on North Broad and West Carteret Streets. Administrator Gardner informed members of the Council that the Edenton Planning and Zoning Commission held their regular meeting on August 4, 1970, voted unanimously to recommend the two changes requesting the zoning map of the Town of Edenton. The changes are as follows:

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Motion by W. H. Hollowell, Jr., seconded by David G. White and unanimously carried approving this above recommendation and ordering a change in the zoning map from residential to downtown commercial.

2. To the South side of West Carteret Street from a point of 154 feet from the Vivian Baker line to the old Norfolk Southern right-of-way along the North property line of lots on the North side of West Albemarle Street, being a portion of the lot owned by Henry Allen Bunch and Mrs. Ruth D. Bunch from residential to unoffensive industry.

Motion by Dail, seconded by Clyde Hollowell and unanimously carried approving the zoning of the above property owned by Henry Allen and Ruth D. Bunch from residential to unoffensive industry and ordering the town map changed accordingly.

Mr. Merrill Evans requested the Council to approve the Morgan Park plan and further stated that all rights-of-ways requested by the Electric & Water Department Board had been agreed to that Board, that water and sewer would be installed at the owners' expense at the playground area would be deeded to the town and three of the streets would be paved with the width of 24 feet with an asphalt type curb and gutter. At a later point in the meeting the Council unanimously agreed to the acceptance of the Morgan Park plat as soon as the following was completed to the town's satisfaction:

1. A deed prepared transferring ownership from the lift station site and roadway leading thereto and the public playground to the town.

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It was directed by the Council that a letter containing these provisions be written to Mr. Evans and that as soon as these items were completed that the plat would be accepted. Mayor Byrum appointed Councilmen White and W. H. Hollowell, Jr., to work with him on the above matters.

Motion by Elliott, seconded by Katkaveck and unanimously carried adopting the following resolution:

Whereas, the Town Council of the Town of Edenton has determined that in the best interest of the town to extend its water and sewer systems and that in order to provide such extensions it is necessary to assess part of the cost thereof upon the real property abutting thereon.

Now, Therefore, be it resolved by the Town Council of the Town of Edenton as follows:

1. That the water and sewer systems of the Town of Edenton shall be extended by constructing water and sewer lines over, along, and to the following property:

Water and sewer on Paxton Lane from Old Hertford Road, water and sewer on a portion

of Old Hertford Road; water and sewer on portions of the West Albemarle Street and Twiddy Avenue; sewer on portions of Virginia Road, (N. C. Highway 32); water and sewer on portions of Badham Road, Paradise Road, Dillard Avenue, Pruden and Vann Street; water and sewer on portions of U. S. 17 South, Terry Avenue, Robin Lane and Williamson Road, Douglas Avenue.

2. That portion of the cost of said improvement be hereafter assessed upon the lots and parcels of land directly abutting upon the extensions hereinabove described according to the extent of their respective frontages by a rate of \$3.50 per lineal foot for sanitary sewer and \$2.00 per lineal foot for water, in accordance with authority vested in the town by Section 160-241 of the General Statutes of North Carolina and by special legislation passed by the North Carolina General Assembly in Chapter 960 of the 1969 Session Laws of the State of North Carolina.

3. That the assessment here provided for shall be payable in cash or if any property owner shall so elect and give notice of that fact to the Town Council in accordance with Section 160-247 of the General Statutes of North Carolina, he shall have the option and privilege of paying the assessment in ten (10) equal annual installments, said installments to bear interest at the rate of six per cent per annum.

4. That the Town Clerk is hereby directed to publish this Resolution in The Chowan Herald on the 10th day of September, 1970.

Motion by W. H. Hollowell, Jr., seconded by Clyde Hollowell and unanimously carried adopting the following resolution:

Resolved, that the lowest bid on Contract No. 1: Water Lines, Gravity Sewers, Force Mains and Pumping Stations as submitted by Central Builders, Inc., of Rocky Mount, North Carolina, be accepted and, subject to the concurrence of the U. S. Department of Housing and Urban Development, that the work represented by the Base Proposal of Contract No. 1 be awarded to such low bidder in the amount of \$466,300.85.

Be It Further Resolved, that the lowest bid in Contract No. 2: Well and Water Treatment Facilities as submitted by Layne-Atlantic of the U. S. Department of Housing and Urban Development, that the work represented by the Base Proposal of Contract No. 2 be awarded to such low bidder in the amount of \$165,200.00.

And, Be It Further Resolved, that all proposals received for Contract No. 3: 0.5 MG Elevated Water Tank be rejected and additional study and review of this work be undertaken with the intention of again advertising this Contract No. 3 upon completion of such modifications as are deemed advisable.

Motion by Dail, seconded by Elliott, and unanimously carried directing the town forces to remove the debris from the John Lee Tripp property and charge the same to the property owner.

Motion by White, seconded by Clyde Hollowell, and unanimously carried directing town forces to remove the debris on the Curfew Lewis property and charge the same to the property owner.

The members of the Council attending the League of Municipalities meeting on October 4th, 5th and 6th will be: Mayor Byrum, Councilmen Dail, White and Elliott and Administrator Gardner. Motion by Clyde Hollowell, seconded by W. H. Hollowell, Jr., and unanimously carried requesting bids on two 1971 police cars.

Mayor Byrum appointed Councilmen Elliott, Katkaveck and Dail to the committee to

investigate feasibility of installing grave markers in the new part of Beaver Hill Cemetery to markers that are flush mounted at ground level. Motion by W. H. Hollowell, Jr., seconded by Katkaveck and unanimously carried approving the E. & W. Vann bills in the amount of \$37,999.04 for payment.

Motion by Elliott, seconded by Katkaveck and unanimously carried approving the Town of Edenton bills in the amount of \$6,936.21 for payment.

Motion by Elliott, seconded by Katkaveck and unanimously carried authorizing the Town Attorney to institute a suit against U. S. Lumber Company to cancel lease and also to sue said U. S. Lumber Company for damages rising out of the valuable property located at the Edenton Municipal Airport. It was the opinion of some of the members of the Council that the town should seek ownership for the tennis court and the Scout Cabin area in view of the fact that proper maintenance has not been done on either of these areas.

There being no further business, the meeting adjourned.

W. B. GARDNER, Administrator.

On account of first Monday in September being a holiday, the Board of County Commissioners held their regular monthly meeting Monday, September 14th, at 9 o'clock A. M. with the following members present: J. Clarence Leary, chairman, C. M. Evans, C. A. Phillips, David T. Bateman, N. J. George was absent.

The minutes of the previous meetings were approved by motion of David T. Bateman, seconded by C. M. Evans and unanimously carried.

Upon motion of C. M. Evans, seconded by C. A. Phillips and unanimously carried that the bills be paid.

Debt Service Fund

Peoples Bank & Trust Co., \$30,500.00.

Charity

State Commission for the Blind, \$143.49; Mrs. C. E. Balance, \$60.41; Chowan Hospital, \$1,644.17; Eastern N. C. Sanatorium, \$10.50; State Commission for the Blind, \$88.42.

Health Fund

District Health Department, \$24.00; Hooper Bros., \$5.10; Carolina Feed & Seed Co., \$38.00; K. J. Eyer, \$1.75; C. J. Ahoskie.

Sheriff Toppin requested the Commissioners to allow the American Legion to sponsor a county fair tax free, also to display fireworks properly supervised. This request was granted by the Board.

County Accountant

Victor Computer Corp., \$491.40.

General County Fund

Cecil Alexander, \$5.00; postmaster, \$30.00; Mrs. Glenn H. Perry, \$21.66; Montgomery Ward Co., \$78.96; N. C. Department of Conservation & Development, \$233.12; Albemarle Law & Order Association, \$61.11; Evans & Smith, \$405.12; Peoples Bank & Trust Co., \$1,111.20; Medicaid Fund, \$2,500.00; U. S. Post Office, \$12.00; Betsy G. Chesson, \$21.66; Bonnie White Stroud, \$58.31; postmaster, \$6.00; Crain George M. M. Sales, (ambulance), \$12,706.00; John W. Graham, \$65.00; Bonnie White Stroud, \$104.96; N. C. Local Governmental Employees' Retirement System, \$375.77; N. C. Local Governmental Employees' Retirement System, \$332.74; Albemarle Painting Contractors, \$1,240.07; Myrtle Hare, \$13.33; Nationwide Mutual Insurance Co., \$365.20; Town of Edenton, \$1,875.00; Albemarle Law & Order Association, \$57.66; Bedgood's Clock Service, \$50.00; Byrum Hardware Co., \$295.48; Joseph A. Byrum, \$157.06; Carolina Overall Co., \$6.29; Cherry Hospital, \$50.00; The Chowan Herald, \$1,977.88; Colonial Life & Accident In-

urance Co., \$49.50; J. H. Conger & Son, \$15.29; Emma Danieley, \$13.08; Owen G. Dunn Co., \$141.13; Eastern Elevator Service, \$12.00; Edenton Office Supply, \$28.70; Edwards & Broughton Co., \$129.33; Hill Manufacturing Co., \$55.22; Holland, Timberlike & Shaw, \$2,500.00; Hollowell's, \$1.07; Home Feed & Fertilizer Co., \$3.00; Hughes-Parker Hardware Co., \$10.38; Mitchener's Pharmacy, \$12.40; Nor. & Car. Tel. & Tel. Co., \$258.86; Troy Toppin, sheriff, \$68.74; Town of Edenton, \$683.93; Mrs. Arzulia Webb, \$50.00; Edenton-Chowan Rescue Squad, \$300.00; Governmental Guide, \$5.00; Glenn Perry, care of prisoners, \$303.83; J. H. Conger & Son, \$15.29; Rose's 5 & 10c Store, \$8.32; Ricks Laundry & Cleaners, \$5.67; payroll, \$3,359.78.

Social Services Fund

Ruth B. Conger, travel, \$17.53; Edenton Office Supply, \$7.00; Hazel S. Elliott, \$39.24; Sara B. Garen, travel, \$25.05; Peoples Bank & Trust Co., \$53.20; Dr. Archie D. Walker, Jr., \$5.00; payroll, \$2,361.66.

Civil Defense

Payroll, \$522.90.

Agriculture and Economics

Payroll, \$1,330.79.

Upon motion of C. M. Evans, seconded by C. A. Phillips and duly carried that pickup taxes in the amount of \$3.20 be charged to tax collector.

Sherlon C. Layton, tax supervisor, read a letter from State Board of Assessments informing him that certain chain businesses were not properly reporting inventories.

On motion of C. A. Phillips, seconded by C. M. Evans and unanimously carried instructing the tax supervisors to proceed with the action started through the Board of Assessment and report to the various firms.

On motion of David T. Bateman, seconded by C. M. Evans and duly carried authorizing C. A. Phillips to investigate the space back of county office building and supervise the construction of a garage to house ambulances and equipment in that space.

Sheriff Troy Toppin, chairman of the Safety Committee of the Ruritan Club, reported the need of a traffic sign at C. A. Perry's place where trucks enter the highway. The club was authorized to forward this request to D. W. Patrick, division engineer, State Highway Commission, Ashoskie.

Sheriff Toppin requested the Commissioners to allow the American Legion to sponsor a county fair tax free, also to display fireworks properly supervised. This request was granted by the Board.

Upon motion of C. A. Phillips, seconded by David T. Bateman and duly carried that the fuel oil contract be awarded to Humble Oil Company, the low bidder.

Herbert Small, Superior Court solicitor, appeared before the Board thanking them for their consideration in his request for aid in furnishing his Superior Court office, along with the other counties in the district.

There was a lengthy discussion held with Mr. Small reviewing the need for a court house and jail.

Upon motion of David T. Bateman, seconded by C. A. Phillips and unanimously carried allowing Register of Deeds to subscribe to the opinion service of the North Carolina Attorney General's office. The fee will be approximately \$5.00 for a bi-annual report.

On motion of David T. Bateman, seconded by C. M. Evans and duly carried that an ordinance regulation and prohibiting the sale of beer and wine during certain hours from Saturday until Monday of each week pursuant to G. S. 18-107 be adopted. An Ordinance Regulation and prohibiting the Sale of Beer

and Wine During Certain Hours From Saturday Until Monday of Each Week Pursuant to G. S. 18-107.

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There being no further business, the meeting adjourned.

J. CLARENCE LEARY, Chairman.

BERTHA B. BUNCH, Clerk to the Board.

W. B. GARDNER, Administrator.

Edenton, N. C., September 6, 1970.

The Town Council of the Town of Edenton met this day in regular session at 8 P. M. in the Edenton Municipal Building. Members present: George A. Byrum, Mayor, James C. "Pete" Dail, J. D. Elliott, Leo Katkaveck, David D. White, W. H. Hollowell, Jr., and Clyde Hollowell.

Mayor Byrum called the meeting to order and Councilman Clyde Hollowell gave the invocation.

During the Fire Department report, Fire Chief Luther C. Parks requested the Council's approval of the transfer of the outboard motor boat now owned by the Volunteer Fire Department to the Chowan Rescue Squad. Motion by Dail, seconded by Elliott, and unanimously carried approving the transfer of this boat to the Edenton-Chowan Rescue Squad.

Mayor Byrum complimented the Street Department personnel on their beautification work and Superintendent J. C. Parks in a report in a meeting he attended in Asheville relative to sanitation collection and disposal problems.

Mayor Byrum informed the members of the audience present at this meeting that was called as a public hearing to hear requested zoning changes on North Broad and West Carteret Streets. Administrator Gardner informed members of the Council that the Edenton Planning and Zoning Commission held their regular meeting on August 4, 1970, voted unanimously to recommend the two changes requesting the zoning map of the Town of Edenton. The changes are as follows:

1. East side of North Broad Street from the Sunoco Station to Albemarle Street from residential to downtown commercial to the depth of the back property line of the Henry Allen Powell property.

Motion by W. H. Hollowell, Jr., seconded by David G. White and unanimously carried approving this above recommendation and ordering a change in the zoning map from residential to downtown commercial.

2. To the South side of West Carteret Street from a point of 154 feet from the Vivian Baker line to the old Norfolk Southern right-of-way along the North property line of lots on the North side of West Albemarle Street, being a portion of the lot owned by Henry Allen Bunch and Mrs. Ruth D. Bunch from residential to unoffensive industry.

Motion by Dail, seconded by Clyde Hollowell and unanimously carried approving the zoning of the above property owned by Henry Allen and Ruth D. Bunch from residential to unoffensive industry and ordering the town map changed accordingly.

Mr. Merrill Evans requested the Council to approve the Morgan Park plan and further stated that all rights-of-ways requested by the Electric & Water Department Board had been agreed to that Board, that water and sewer would be installed at the owners' expense at the playground area would be deeded to the town and three of the streets would be paved with the width of 24 feet with an asphalt type curb and gutter. At a later point in the meeting the Council unanimously agreed to the acceptance of the Morgan Park plat as soon as the following was completed to the town's satisfaction:

1. A deed prepared transferring ownership from the lift station site and roadway leading thereto and the public playground to the town.

2. A written easement to cover the electric utilities giving the town quite an access to operate and maintain said electric system.

3. Written specifications on the type asphalt curb, paving (width, base course and so forth), back filling behind the curb, and storm drainage for approval by engineers of the Town of Edenton.

4. Some type of bond or other surety guaranteeing to the town that payment of funds for the developer's part of the water and sewer lines as well as monies to provide the specified street and storm drainage work.

5. It is agreed by the Council to accept the best grade of asphalt curb containing a high aggregate count similar to the asphalt curbs constructed in the subdivision of the Town of Murfreesboro.

It was directed by the Council that a letter containing these provisions be written to Mr. Evans and that as soon as these items were completed that the plat would be accepted. Mayor Byrum appointed Councilmen White and W. H. Hollowell, Jr., to work with him on the above matters.

Motion by Elliott, seconded by Katkaveck and unanimously carried adopting the following resolution:

Whereas, the Town Council of the Town of Edenton has determined that in the best interest of the town to extend its water and sewer systems and that in order to provide such extensions it is necessary to assess part of the cost thereof upon the real property abutting thereon.

Now, Therefore, be it resolved by the Town Council of the Town of Edenton as follows:

1. That the water and sewer systems of the Town of Edenton shall be extended by constructing water and sewer lines over, along, and to the following property:

Water and sewer on Paxton Lane from Old Hertford Road, water and sewer on a portion

of Old Hertford Road; water and sewer on portions of the West Albemarle Street and Twiddy Avenue; sewer on portions of Virginia Road, (N. C. Highway 32); water and sewer on portions of Badham Road, Paradise Road, Dillard Avenue, Pruden and Vann Street; water and sewer on portions of U. S. 17 South, Terry Avenue, Robin Lane and Williamson Road, Douglas Avenue.

2. That portion of the cost of said improvement be hereafter assessed upon the lots and parcels of land directly abutting upon the extensions hereinabove described according to the extent of their respective frontages by a rate of \$3.50 per lineal foot for sanitary sewer and \$2.00 per lineal foot for water, in accordance with authority vested in the town by Section 160-241 of the General Statutes of North Carolina and by special legislation passed by the North Carolina General Assembly in Chapter 960 of the 1969 Session Laws of the State of North Carolina.

3. That the assessment here provided for shall be payable in cash or if any property owner shall so elect and give notice of that fact to the Town Council in accordance with Section 160-247 of the General Statutes of North Carolina, he shall have the option and privilege of paying the assessment in ten (10) equal annual installments, said installments to bear interest at the rate of six per cent per annum.

4. That the Town Clerk is hereby directed to publish this Resolution in The Chowan Herald on the 10th day of September, 1970.

Motion by W. H. Hollowell, Jr., seconded by Clyde Hollowell and unanimously carried adopting the following resolution:

Resolved, that the lowest bid on Contract No. 1: Water Lines, Gravity Sewers, Force Mains and Pumping Stations as submitted by Central Builders, Inc., of Rocky Mount, North Carolina, be accepted and, subject to the concurrence of the U. S. Department of Housing and Urban Development, that the work represented by the Base Proposal of Contract No. 1 be awarded to such low bidder in the amount of \$466,300.85.

Be It Further Resolved, that the lowest bid in Contract No. 2: Well and Water Treatment Facilities as submitted by Layne-Atlantic of the U. S. Department of Housing and Urban Development, that the work represented by the Base Proposal of Contract No. 2 be awarded to such low bidder in the amount of \$165,200.00.

And, Be It Further Resolved, that all proposals received for Contract No. 3: 0.5 MG Elevated Water Tank be rejected and additional study and review of this work be undertaken with the intention of again advertising this Contract No. 3 upon completion of such modifications as are deemed advisable.

Motion by Dail, seconded by Elliott, and unanimously carried directing the town forces to remove the debris from the John Lee Tripp property and charge the same to the property owner.

Motion by White, seconded by Clyde Hollowell, and unanimously carried directing town forces to remove the debris on the Curfew Lewis property and charge the same to the property owner.

The members of the Council attending the League of Municipalities meeting on October 4th, 5th and 6th will be: Mayor Byrum, Councilmen Dail, White and Elliott and Administrator Gardner. Motion by Clyde Hollowell, seconded by W. H. Hollowell, Jr., and unanimously carried requesting bids on two 1971 police cars.

Mayor Byrum appointed Councilmen Elliott, Katkaveck and Dail to the committee to