

High Court puts hold on special elections in N.C.

BY CASH MICHAELS
FOR THE CHRONICLE

As Republican lawmakers had hoped, the U.S. Supreme Court has ordered a hold on the redrawing of legislative maps, and special elections this year, until it reviews an appeal from the GOP of the original federal court order.

A three-judge federal panel ruled several months ago that 28 of 170 voting districts drawn as part of the 2011 legislative redistricting map were racially gerrymandered, and determined they were unconstitutional. Shortly after the November 2016

general election, the judicial panel ordered the North Carolina legislature to redraw the maps by this March, and then hold special primaries this August or early September, followed by a special legislative general election in November.

Democrats were pleased with the ruling, but Republican lawmakers balked, asking the federal appellate court to keep the current voting districts in place since they were used for the recent general election. That request was turned down, but before he left office, former Republican Gov. Pat McCrory asked the US Supreme Court to stay the appellate order, and it did

Tuesday afternoon.

"The application for stay of the order of the United States District Court for the Middle District of North Carolina entered on November 29, 2016, presented to The Chief Justice [John Roberts] and by him referred to the Court is granted," the High Court decision read, "... ending the timely filing of a statement as to jurisdiction. Should such statement be timely filed, this order shall remain in effect pending this Court's action on the appeal. If the judgment should be affirmed, or the appeal dismissed, this stay shall expire automatically. In the event jurisdiction is noted or postponed, this order will remain in effect pending the sending down of the judgment of this Court."

In effect, the U.S. Supreme Court has to decide whether to actually hear arguments in the case for the hold to remain. The eight-member High Court is scheduled to convene in conference next Thursday on Jan. 19 to decide which cases it will hear going forward. If it decides not to hear the redistricting and special elections case, the hold placed on it Tuesday

automatically expires, and the judicial order is maintained for state lawmakers to follow.

While state Republican legislative leaders like Rep. David Lewis (R-Harnett) applauded the Supreme Court hold, the Southern Coalition for Social Justice, which represented plaintiffs in the case, made clear this was perfunctory.

"Today's action just puts everything on hold while the U.S. Supreme Court considers the appeal of whether the district court was correct to order special elections in 2017," Anita Earls, SCSJ executive director wrote. "On behalf of our clients, we continue to trust that the district court's ruling will be upheld and new districts ultimately will be drawn that are not based on race."

"We are grateful the U.S. Supreme Court has quashed judicial activism and rejected an attempt to nullify the votes of North Carolinians in the 2016 legislative elections," House Speaker Tim Moore (R-Rockingham), and Senate President Pro Temp Phil Berger (R-Rockingham), said in a joint statement.

County is now considering mandatory recycling

BY TODD LUCK
THE CHRONICLE

When the county ended its recycling collection service for residents in unincorporated areas of Forsyth County, it resulted in many calls from unhappy former customers.

The county started offering voluntary curbside recycling service for a monthly fee to unincorporated residents in 2012. Due to low participation and a downturn in the commodities market, recycling contractors couldn't provide the service without a loss.

After a second company decided not to renew its contract, the county ended the service on Jan. 1.

The county deregulated the service in hopes that private companies would come in and negotiate with housing developments in incorporated areas to provide recycling services.

This has not happened yet, leaving 2,600 former customers without the serv-



Plyer



Barnette



Marshall

Commissioners' actions

During the Forsyth County Board of Commissioners meeting on Jan. 9, the commissioners voted unanimously to:

*Move forward with \$21.8 million in two-thirds bonds for maintenance needs for Winston-Salem/Forsyth County Schools, county parks and facilities, courthouse renovation planning and Forsyth Technical Community College.

*Award a design-build contract for the new Kernersville Library from the 2010 library bonds to Frank L. Blum Construction Company LLC and Steven Lloyd Architecture, PLLC.

*Renew a one year lease for the county's parole, probation and community services offices at 8 West Third Street, with an option to leave earlier when space in the county's Public Safety Center is ready for them.

*Certify local budget support for Forsyth Tech's first two projects from the 2016 bond referendum: the renovation of the Oak Grove Center and the creation of an aviation center at Smith Reynolds Airport.

ice. "All the 150 plus people who have called are disappointed the service is ending," Minor Barnette, director of Forsyth's envi-

ronmental assistance, and protection office, told commissioners during a Jan. 5 briefing.

Barnette said that the calls were 10 minutes on

average because residents wanted to make sure the county knew how important recycling is. Some said they were willing to pay more to see the service con-

tinue.

Commissioner Gloria Whisenhunt said some were also upset because they didn't know the service was ending until their collection bins were taken. A notice about the service's end was on the final bill, but many costumers didn't read it.

Three companies have expressed interest in getting permits to provide the service, but only one, North Davidson Garbage Service, has indicated definite plans to offer service, which would be in the southwest corner of the county near Clemmons.

County commissioners were concerned that if the recyclables aren't picked up, residents may simply throw them away, or worse, resort to dumping, instead of traveling to the county's three recycling centers to properly recycle them.

"You're going to fill up the landfill with recyclables if we don't do something," said County Commissioner Chair Dave

Plyer.

During the discussion, Barrette said that if the county made recycling collection a mandatory program, combined with garbage service, he believed he could find a contractor interested in servicing the 22,000 unincorporated households and negotiate the price down to \$16 or less per household.

The low cost intrigued commissioners. Commissioner Richard Linville said he wasn't committing to support a mandatory program, but it was worth exploring for that price. Plyer told Barnette to explore the mandatory option and come back to the commissioners with a report.

Commissioners Everett Witherspoon and Walter Marshall were the sole "no" votes on de-regulating recycling collection last year, because both believe it should be a mandatory service.

"There is no other solution," said Marshall.

City Council calls for more diversity in historic landmarks

BY TODD LUCK
THE CHRONICLE

The approval of the latest local landmark prompted some City Council members to call for more inclusion in the historic program during the coun-



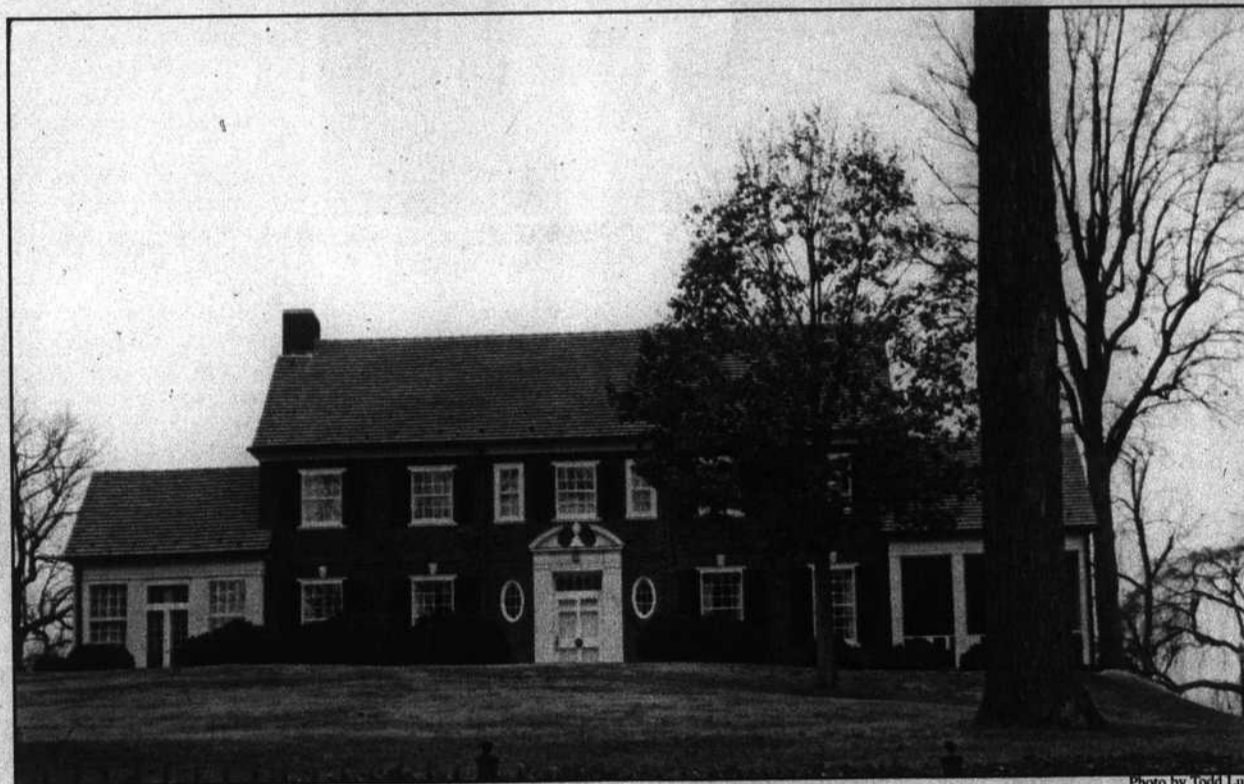
Clark

cil's latest meeting.

Last week, the council unanimously approved a local landmark designation for a house originally owned by John L. Gilmer at 605 W. Cascade Ave. in Washington Park. Gilmer moved to Winston-Salem in 1893 where he started or helped develop a number of businesses. The house, now owned by Richard Sickles, joins 133 other local landmarks that are eligible for a 50 percent property tax deferral, but now must maintain its historic character and any changes to the property will need approval from the county's Historic Resource Commission, which is an appointed citizen committee.

"It is an important part of the Washington Park area, it is an important part of the history of Winston-Salem," said City Council Member John Larson, who represents the South Ward where the house is at.

City Council Member



The historic Gilmer house in Washington Park is the city's newest official historic landmark.

D.D. Adams voted for the measure on Tuesday, Jan. 3, but used it as an opportunity to lament the lack of local African-American landmarks.

"We don't have much of that left anymore," said Adams "When rehabilitation or Model Cities or urban renewal came through, most of our history was taken with it."

Adams said there was little left to denote the prominent families that shaped the city's black community. She said that the city needs to work to find a way preserve its black history for future generations.

Other council members echoed those thoughts, including Vivian Burke, James Taylor and Jeff

MacIntosh, who suggested the house of the late Winston-Salem State University Basketball Coach Clarence "Big House" Gaines is a good candidate for a landmark. Taylor and Council Member Robert Clark also said they'd like to see a more uniform standard that requires a public benefit from the landmark.

"We seem to have a lottery every now and then and somebody wins," said Clark about the way landmarks are chosen.

The Gilmer house is already included in tours of Washington Park, which Clark said led him to support it as a landmark, as did its importance as an "anchor" for the neighborhood.

To become a local landmark in Forsyth County, a property should be at least 50 years old, have special historical significance and have a strong degree of its original integrity intact. Owners of the property have to fill out an application, which costs \$50, which is reviewed by the Historic Recourse Commission and has to be approved by the local governing body, which for Winston-Salem residents is the City Council.

There are already several locally designated African-American landmarks, including the house and brickyard of George Black, the Odd Fellows Cemetery, and historic black churches, Lloyd Presbyterian Church and

St. Paul United Methodist Church in Kernersville.

Michelle McCullough, historic resources officer, said that while many homes may qualify to become a landmark, not everyone wants to do so because of the costs of using historically accurate materials and restrictions it puts on upkeep of the building. The local landmark designation is a permanent one, so future owners of the property have to abide by it and each property owner's would have to

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Adams



Larson

apply for the tax break. In the case of the Gilmer house, Sickles' son Morgan told the city council his father was interested in making sure the house was preserved after he's gone and not in the tax credit.

The landmark program

is separate from the National Register of Deeds, which the Washington Park neighborhood is already on. It also different from the state's historic tax credit, which gives historic properties tax credit on a percentage of their restoration costs. It's also separate from the Historic Resource Commission's Historic Marker Program, which is often used to denote historic places that no longer exist like 14th Street Elementary School, a historic African-American school that once stood on the corner of 14th Street and Cameron Avenue that'll be getting a marker later this year.