

THE STATE PORT PILOT

A Good Newspaper In A Good Community

VOLUME 46 NUMBER 5

20 PAGES TODAY

SOUTHPORT, NORTH CAROLINA

AUGUST 21, 1974

10 CENTS A COPY

PUBLISHED EVERY WEDNESDAY



TELL THE MAN on the street the new Southport Primary School is this far along and he wouldn't believe it, but here's a Tuesday photograph that shows progress made on the school building in the northwest sector of town. School opens in Brunswick County this Friday, and hopefully in this structure a year from now.

Yaupon Zoning Termed 'Illegal'

By BOBBY HILL
In denying a preliminary injunction Tuesday to opponents of a Yaupon Beach condominium, Supreme Court Judge Harry Cannady concurred with defendants that Yaupon Beach has no legal extra-territorial zoning. The decision almost ends a suit by Yaupon planning board chairman John Thompson, who contended that a residential apartment (RA) zone for the condominium had been illegally adopted. Thompson had filed the suit July 25 requesting a

list of injunctions and seeking to nullify zoning for the \$5 million condominium. He contends the RA zone was adopted "without proper notice and advertisement" required by state law and town ordinance. In the sometimes spectacular court battle Monday and Tuesday, defense attorneys argued there is no record of required legal steps taken by the town to establish extra-territorial zoning jurisdiction. Defendant lawyers included G. Thomas Gall for

landowners hoping to sell to condominium developers, Williams Shell for developer Venture Management, Inc. and A. H. Galney for the Town of Yaupon Beach, its planning board and town council. The plaintiff was represented by attorney Theodore E. Corvette, Jr., of Cary. The judge initially dismissed the Thompson complaint. However, after strenuous argument by attorney Corvette, Judge Cannady ruled that the

(Continued on page 14)

2nd Highest Collection

The collection of the local one-percent sales and use tax reached \$69,169.34 in Brunswick County during July, according to the Department of Revenue. It was the second largest collection in the county since the tax was initiated in October, 1971.

The revenue department also announced that the amount of the taxes distributed to Brunswick County during the quarter ending July 30 amounted to \$170,051.95.

Brunswick County received \$152,211.85 of the quarterly distribution. Municipalities and amounts received include Boiling Spring Lakes, \$565.27; Bolivia, \$42.68; Holden Beach, \$1,444.08; Long Beach, \$7,748.40; Ocean Isle Beach, \$944.13; Shallotte, \$1,697.90; Southport, \$3,260.46; Sunset Beach, \$710.41; and Yaupon Beach, \$1,426.77. Calabash and Shady Forest did not receive any funds.

Asks Meeting With Officials

Kopp Sees Stumbling Block En Route To New Hospital

By BILL ALLEN
County Commission Chairman William Kopp, Jr., has proposed that a joint meeting be held between local and state officials to solve the hospital question in Brunswick County.

Kopp requested that Secretary David Flaharty of the Department of Human Resources "immediately set up" a meeting with Medical Care Commission and Health Planning Council officials, representatives of the Southport Board of Aldermen and the Brunswick County Board of Commissioners, and trustees of the proposed Brunswick County Hospital and Doshier Memorial Hospital.

"The meeting should be held to resolve the problem once and for all so that medical services for Brunswick County can be provided for and we don't end up down the road with nothing," Chairman Kopp told members of the Board of Commissioners during their regular third Monday meeting.

Kopp, speaking slowly and choosing his words deliberately, spent almost an hour at the end of the meeting talking about the hospital situation in the county. After the presentation, commissioners agreed the meeting should be held.

"Now I have here before and will hereafter refrain from making comments to the media or anyone else that would in any way inflame the

issue," the chairman declared. "I feel that in a situation like this, the more that is said, the worse the situation becomes."

Kopp said he wanted the support of the board to set up the meeting to try to iron out the hospital problem, and "to proceed with the mandate of the people (building the proposed county hospital) and have any other hospital." The chairman expressed great concern about the

Southport Board of Aldermen announcing plans to seek a restraining order to stop county hospital construction until assurances are received that Doshier Memorial Hospital will remain open. "I just know that under the climate that now exists the threat of legal action jeopardizes the orderly process of building what the mandate of the people has called for," he declared. "The focus of this venture

(plans to seek the restraining order) knows that the threat of or actual processing of any type of litigation will put a stop on the sale of bonds for the new hospital."

"That is the reason," Kopp continued, "that I have asked for such a meeting to get this thing resolved. Unless it is resolved, we can't sell the bonds."

Vice-Chairman J.T. Clemmons said all the board knew about the proposed plan

to seek the restraining order was what appeared in the newspaper (The State Port Pilot, Aug. 14, Page 1).

"I know that what we read in the newspaper is enough to stop the sale of bonds," Kopp stated. "Pending or threatened litigation will stop the bond sales."

County Attorney Thomas Horne, who attended the session, said that he agreed with Kopp that the newspaper

(Continued On Page 15)

Board Takes Action Against Property For Water Well Site

By BILL ALLEN
The Brunswick County Board of Commissioners ordered County Attorney Thomas Horne to initiate condemnation procedures to obtain land for the water plant and well sites on Highway 211 during a regular mid-monthly meeting on Monday.

The board took the action after lengthy discussion with Horne of a proposed lease agreement with Weyerhaeuser.

The county attorney expressed concern about several points in the proposed lease agreement. Under the agreement, he said there were numerous ways that Weyerhaeuser, owner of the land, could end up owning the

water plant "within 10 days after it is signed."

Horne told the board that the Farmers Home Administration, which will provide a large amount of the money to build the system, had recommended that the lease agreement be rejected.

Chairman William Kopp, Jr., said the time had come to

initiate condemnation procedures against Weyerhaeuser to obtain the land. Horne, who has been working on condemnation procedures while the lease agreement was being discussed, said he was almost ready to have Sheriff Harold Willetts serve papers on Weyerhaeuser officials.

PUBLIC PURPOSE
Horne said he was optimistic that the county could win a court case to obtain the land. The key point, he said, is the county wants the land for a public purpose — building a water plant and well sites.

"Nobody in the world would

(Continued On Page 20)

Project Tab: \$4.3 Million

Cost Of Beach System Double First Estimate

After hearing that the cost of a proposed water system has jumped from \$2.19 million to \$4.325 million, the Long Beach town council Tuesday voted to proceed with plans to place the water bond issue on the November 5 ballot.

The council passed a resolution to proceed with the water system, hire a bonding attorney and apply to the Farmers Home Administration for a loan and grant.

Officials from Pierson & Whitman, an engineering firm in Raleigh charged with the water planning, presented the estimated costs in a preliminary engineer's report. Jim Wilson of that firm returned from a telephone conversation with FHA representatives to say the organization has "plenty

of loan money available at five percent."

The engineers said the FHA can supply grant up to 25 and 30 percent.

The engineers said inflation and expansion of plans are responsible for the jump of \$2 million on the water price tag.

"We've had some prices literally double," Engineer Bill Piver said of other municipality water system costs recently.

The water system proposed by Pierson & Whitman will supply water to all town residents. Town Manager Frank Kivett said previous plans for water would have covered less area with the service.

The \$2.19 million estimate was based on plans from engineering firm Henry Von Oesen and Associates of

Wilmington. That amount on a water bond issue was voted down this January.

The engineers said they would have no FHA commitment before final engineer reports are complete two weeks from now. FHA loans will include five-percent interest, they said.

The town is already assured of over \$100,000 in grants from the state Clean Water Bond Act funds.

Some councilmen said they didn't expect to see a \$4.3 million price on the water project. Piver said, "These prices are 'cushioned'" from inflation for two or three years. He said if the project is completed within this time limit, "You will be within the budget." And he hinted that the town might have a "pleasant surprise" at the

(Continued On Page 20)

Oak Island One Big City? Idea Has Pro's, Con's

By BOBBY HILL
What about consolidating the whole of Oak Island into one big town?

The proposal has its advocates and opponents, both with good reasons for and against the idea. The vast majority of those polled think the consolidation move is inevitable. However, Yaupon Beach and unincorporated Caswell Beach residents are leary of being swallowed up by the larger Long Beach.

Most Long Beach citizens are enthusiastic about the jump from two towns and one community to what would be Brunswick County's biggest city. Before any marriage of consolidation can occur, however, Long Beach

probably faces a long, arduous courtship of the two smaller communities.

Ironically, the marriage of the island into one city might be forced in less than ten years by the necessity for a common sewer system. Any of the three areas is too small on its own to finance a sewer project. Federal agencies have already issued guidelines that will force the whole island to become one water and sewer district. The Yaupon Beach town council recently passed a motion allowing Long Beach to be the responsible party for securing an island-wide sewer system.

The legal process for consolidating the island

would require a special election passed by act of the state General Assembly. Both towns would be required to vote a majority on the ballot, and some provision would presumably be made for voters at Caswell Beach. The two town councils would have to pass resolutions requesting their representative to introduce legislation for special election.

The consolidation issue would probably pass now on the Long Beach council. However, Yaupon councilmen would probably turn thumbs down on the question. Yaupon Beach Mayor Clarence E. Murphy said Friday, "I believe the

board would go unanimously against it (consolidation)."

Ample precedence of consolidation exists for both legal guidelines and as examples. Leaksville, Draper and Spray voted to become the city of Eden in 1967. North Myrtle Beach also voted to consolidate. However, Murphy said the Myrtle Beach move came only after more than "a decade" of planning.

No Oak Island consolidation planning is available at this time. However, the issue has reportedly been a perennial topic of country store political discussion since the 1950's. Despite the amount of conversation, no official

consolidation move has ever come before either Yaupon or Long Beach councils.

The original developers of Long Beach and Yaupon reportedly had a "gentlemen's agreement" for Yaupon Beach not to incorporate. Long Beach developer E.F. Middleton, Sr., reportedly had planned to incorporate most of the island. G.V. Barbee, Sr., was the Yaupon Beach developer.

Long Beach has a tax base of about \$20 million, with a tax rate of 87 and one-half cents. The town is about nine miles long, with over 100 miles of streets. The state is responsible for 19 miles of these roads. Long Beach has a population of an estimated

4,500, based on a total of 1,439 permanent residences listed at town hall. A good number of these residences, however, are probably second homes and do not represent registered voters. The town has an estimated 1,000 registered voters.

Yaupon Beach, about one and one-half miles long by three-quarters mile wide, has 216 registered voters. Its proportion of year-round residents is larger than that of Long Beach, according to Yaupon Councilman William Smalley. The town has a tax base of \$4.5 million and a tax rate of 75 cents.

Unincorporated Caswell Beach represents about five

(Continued On Page 6)