

THE STATE PORT PILOT

A Good Newspaper In A Good Community

VOLUME 46 NUMBER 8 18 PAGES TODAY

SOUTHPORT, NORTH CAROLINA

SEPTEMBER 11, 1974

10 CENTS A COPY

PUBLISHED EVERY WEDNESDAY



A MATCHING DONATION to the Shallotte Rescue Squad was made Thursday by Waccamaw Bank and Trust Company of Shallotte. The squad collected 30,000 pennies (\$300 worth) and turned the coins over to the bank, which donated an equal amount to the community service organization. Bank official Cecil Register and Skyline Hewett of the squad go about the business of rolling the coins.

Modular Homes Zoned In Certain Beach Areas?

To exclude modular homes from Long Beach "you must have some reason other than you don't like them," attorney James R. Prevatte told the town council Thursday night.

Prevatte, who had previously been instructed by the council to research legal aspects of modular home zoning, said there was "not a whole lot of law" concerning the now - popular, pre-constructed housing units. The town, he noted, could not prohibit modular homes but might funnel the units into specific areas of the community, as is now done for trailers.

The town Planning Board on August 28 went a step farther. A recommendation of that body would prohibit in Residential Zone I the placement of "a portable manufactured housing unit designed for transportation on its own chassis and placement on a temporary or semi-permanent foundation having a measurement of over 32 feet in length and over 8 feet in width."

An attached comment noted the description was that of a mobile home.

Prevatte told the council the town could zone for the "protection of health, safety and welfare," and that such zoning must be "reasonable." "You cannot take a broad, all-encompassing" look and "say 'no' modular homes," said Prevatte, who offered the opinion that the town could be "reasonable" in requiring

that a home be inspected in each stage of construction because of Long Beach being a "hurricane-prone" area.

Councilman Russ Morrison noted that the controversial but now - approved Emerick modular home surpasses state building code requirements.

In response to a question from Town Manager Frank Kivett, Prevatte said ap-

pearance of a home could be regulated in a deed, but doubted that "appearance" could be zoned.

AMEND OR REPEAL?

In other business before the town council Thursday night, Prevatte reported on Privilege License Tax situations in other North Carolina municipalities. Citing information received from the Institute of

Government and the N.C. League of Municipalities, the attorney said Long Beach could either amend its present tax or repeal it altogether.

He said the state Privilege License Tax is intended primarily for use by the state but that towns may tax at rates not exceeding the state limits, and may offer certain professional exemptions.

He cited the Cary, N.C., \$25 tax on all businesses except in cases in which the maximum allowed was less than \$25. Prevatte said the Legislature is reviewing the Privilege License Tax and that the Institute of Government and the League of Municipalities recommend that any local action be taken with that in mind. (See related Privilege License Tax story in this Pilot issue.)

The attorney also reported on minimum square-footage requirements being sought by interested party National Development Corporation (NDC). The question of what constituted the "main floor" (one floor or actual living space) was researched, Prevatte said, and in all 100 cases the deeds are specific in stating "main floor."

Prevatte said he asked NDC Representative Hannon Templeton, who reportedly said "main floor" is what was intended, meaning one floor rather than total living space. "YOU NAMED HIM"

A planning board report drew the temporary ire of

Government and the N.C. League of Municipalities, the attorney said Long Beach could either amend its present tax or repeal it altogether.

He said the state Privilege License Tax is intended primarily for use by the state but that towns may tax at rates not exceeding the state limits, and may offer certain professional exemptions.

He cited the Cary, N.C., \$25 tax on all businesses except in cases in which the maximum allowed was less than \$25. Prevatte said the Legislature is reviewing the Privilege License Tax and that the Institute of Government and the League of Municipalities recommend that any local action be taken with that in mind. (See related Privilege License Tax story in this Pilot issue.)

The attorney also reported on minimum square-footage requirements being sought by interested party National Development Corporation (NDC). The question of what constituted the "main floor" (one floor or actual living space) was researched, Prevatte said, and in all 100 cases the deeds are specific in stating "main floor."

Prevatte said he asked NDC Representative Hannon Templeton, who reportedly said "main floor" is what was intended, meaning one floor rather than total living space. "YOU NAMED HIM"

A planning board report drew the temporary ire of

Government and the N.C. League of Municipalities, the attorney said Long Beach could either amend its present tax or repeal it altogether.

He said the state Privilege License Tax is intended primarily for use by the state but that towns may tax at rates not exceeding the state limits, and may offer certain professional exemptions.

He cited the Cary, N.C., \$25 tax on all businesses except in cases in which the maximum allowed was less than \$25. Prevatte said the Legislature is reviewing the Privilege License Tax and that the Institute of Government and the League of Municipalities recommend that any local action be taken with that in mind. (See related Privilege License Tax story in this Pilot issue.)

The attorney also reported on minimum square-footage requirements being sought by interested party National Development Corporation (NDC). The question of what constituted the "main floor" (one floor or actual living space) was researched, Prevatte said, and in all 100 cases the deeds are specific in stating "main floor."

Prevatte said he asked NDC Representative Hannon Templeton, who reportedly said "main floor" is what was intended, meaning one floor rather than total living space. "YOU NAMED HIM"

A planning board report drew the temporary ire of

Government and the N.C. League of Municipalities, the attorney said Long Beach could either amend its present tax or repeal it altogether.

If Meeting Held City May Drop Injunction Plan

The Southport Board of Aldermen is prepared to consider withdrawing the threatened injunction when the proposed county hospital meeting is held.

Mayor E.B. Tomlinson, Jr., made the announcement during a special board meeting Thursday afternoon called "to discuss the hospital situation."

"We don't want to hinder the county hospital," the mayor said. "Subject to the meeting, we would consider withdrawing the injunction."

"We don't want to hold up progress on the new hospital," he continued. "Any delay will not be our fault since plans are only 60 percent complete, according to reports I have heard."

Alderman Harold Aldridge said the decision to consider withdrawing the injunction when the meeting is held "indicates intent."

Alderman Harold Davis said the board should con-

tinue to take positive action on the hospital question. "We should stay on the offensive not the defensive," he stated.

After the board threatened to seek the injunction, Chairman William Kopp, Jr., called for a joint meeting to be held between local and state officials to solve the hospital question in Brunswick County.

Kopp said on August 19 that he was going to request Secretary David Flaharty of the Department of Human Resources to "immediately set up" the meeting.

Tomlinson and aldermen attending the special session Thursday said they knew nothing more about Chairman Kopp's proposed meeting than what they had read in the newspaper.

Attorney Richard Owens, representing City Attorney E.J. Prevatte, told the board that the Smithville Township hospital district petition might require revisions to meet the letter of the law.

Tomlinson said the petition could be re-drawn and the needed names secured in 24 hours. "All we would have to do is sound the fire sirens and people would come running to sign the petition," he added.

After more discussion, the board directed Owens to draw up another petition meeting all laws. The board will use the new petition if it is needed.

Attorney Owens said the petition might have to be re-written because it does not ask to create a hospital district, contain the name of the proposed district, and have the names of all towns and cities and hospitals in the proposed district.

In other business, the board refused to accept W.G. Wells to represent the Stone family to appraise the land for the proposed park near the city pier. The board rejected Wells because he "owns adjacent property and might have a conflict of interest."

Aldermen Pierce Horne, who is attending a special school in Virginia, Mary McHose and Robert Howard failed to attend the special meeting.

Allen Submits Resignation

'Serious Risk' Warned If Yaupon Zoning Tried

Left with an extra-territorial zone that apparently means nothing, Yaupon Beach commissioners were told Monday night that their board would be taking "a serious risk" in dealing with the area east of the Oak Island community.

Attorney Bill Shell, representing condominium developer Venture Management, interrupted the meeting to warn that "any

action would be highly inappropriate" on Commissioner Bill Smalley's resolution concerning an extra-territorial appointee to the town's planning board.

John Barbee, who with his wife are the only adult residents of the extra-territorial zone, was appointed to the board by the town commissioners. All things else being proper, either Barbee or his wife

should have been appointed by the county commissioners, and Smalley's resolution asked that this be done.

Smalley also asked for a zoning map of the extra-territorial zone, but Shell claimed no such zone existed. Board Attorney A.H. Gainey agreed.

According to Gainey, Mayor C.E. Murphy had known for several months that the extra-territorial zone was improperly conceived and useless. The attorney said he had told Murphy that the extra-territorial zoning was no good, but rather than tell

venture Management he should keep quiet and have the condominium developer comply as nearly as possible to the would-be zoning. Gainey said it was "not going to cure the defects" of the town zoning problem to ask county commissioners to appoint Barbee or to have a surveyor prepare a map. He said the town should "start from scratch" and that he would help.

Smalley had supported an

(Continued On Page 18)

Simmons Won't Ask Re-Election

Robert Simmons, commissioner from Shallotte Township, told The Pilot Wednesday afternoon he will not seek re-election in the Nov. 5 General Election.

Citing "business reason" for his stepping down, Simmons said he would complete his present term as commissioner. The status of Simmons' name on the ballot was not known at presstime.

Voter Registration

Mrs. James Loughlin of Southport I and Mrs. Ellen Sherrord of Southport II will be at the Masonic building on St. George Street Wednesday night, September 18, at 8 o'clock to register new voters.

In addition, Mrs. Loughlin said she will be at the courthouse in Southport from 9 to 12 and from 2 to 4 the next two Saturdays, September 14 and 21, to give eligible voters an opportunity to register.

Mrs. Loughlin said she will not only assist in new registration, but in transfers from other voting precincts and with other problems pertaining to proper registration.

Editorial Draws Reaction

Legal Action Commenced To Mend Leaking Roofs

By BILL ALLEN
The Brunswick County Board of Education Monday night decided to take legal action to have leaking roofs at the three new consolidated high schools repaired.

The board voted unanimously to turn the matter over to Board Attorney Mason H. Anderson, who was asked to initiate appropriate legal action. Anderson was asked to work with Architect Jack Croft, Supt. Ralph King and Assistant Supt. John Hicks on the matter.

Hicks said the leaking roofs have already caused "considerable damage" at the

three high schools, which have been open about 18 months.

Croft said he understood that the two roofing firms had spent about one day at each of the three schools trying to correct the problem without success. "They are not going to correct the problem with patches," Hicks stated. "All the patches are going to do is make the roofs look terrible."

"I am tired of discussing the problem," Chairman Wilber Earl Rabon told the board. "I want to see some action."

Croft said he first believed the expansion joints and the shingles were causing the

roofs to leak. "I felt it was the joints at first, but other leaks have now developed," he added.

Anderson said he needed to know what to tell the two companies to do about correcting the problem of the leaking roofs. Hicks said he believed that the roofs should be removed.

Supt. King said that asking for a re-roofing job at the three schools, which will cost about \$60,000, was a good starting point in the negotiations. Anderson said he did not believe the request was "realistic."

Anderson suggested that the board needed to deter-

mine the problem and obtain estimates to repair the roof. "The roof has to be corrected first," the board attorney declared. "The thing is to find the company that will make the repairs and see what the court says."

Supt. King said the board "had already crossed some of the bridges" Anderson suggested. He said the time had come to initiate appropriate legal action.

"I am disappointed that the situation has lasted as long as it has," Rabon said after the board voted to turn the matter over to Anderson and

(Continued On Page 6)

Groundbreaking

The Brunswick County Board of Commissioners will hold ground-breaking ceremonies for Phase I of the Brunswick County water system Monday at 12 noon at the intersection of Secondary Roads 1527 and 1528 between Carolina Power and Light Company's plant and the Pfizer, Inc., plant, Chairman William Kopp, Jr., has announced.

Cites Political Issue

Fuller Quits Hospital Post

The Smithville Township representative on the Brunswick County Memorial Hospital Board of Trustees has resigned "effective immediately."

Ward E. Fuller of Southport said he resigned because he "did not anticipate that it (the hospital) would become such a political issue and that I would be accused of being anti-Dosher hospital."

Fuller made the statement in his letter of resignation sent to Chairman William Kopp, Jr., of The Brunswick County Board of Commissioners. The letter was dated September 5.

"I am not mad at anybody," Fuller told The

Pilot. "In fact, I love everybody."

Fuller, one of the original members of the county hospital board, said he did not know what he was getting into when he accepted the appointment because he was interested in the construction.

He said he had no interest in local politics or petty jealousies. "I am a builder," Fuller declared. "As I said in my letter of resignation, I have spent most of my life in construction work and it was for this purpose only that I agreed to serve on the board."

"Any expertise that I may

A planning board report drew the temporary ire of
(Continued On Page 18)