

Hospital Vote Okay, Attorneys Declare

By BILL ALLEN
Staff Writer

Brunswick County commissioners have the authority to call for the Smithville Township hospital referendum, County Attorney James Prevatte, Jr., announced Monday.

"The only duty (of the board) is to order that registration and order that election," Prevatte told commissioners at their meeting Monday. "I think the mandate is clear by the wording of the statutes.

"Whereas there may be some question since it

is not specifically set out as to who is the governing body of the township, I think indirectly we can answer the question ourselves by saying if the statutes do not set up a governing body and the county is certainly in control of the townships in the county, who else is the governing body?"

Prevatte was called on to give his legal opinion after the Shallotte newspaper reported last week that the Attorney General's office had said that commissioners do not have the legal authority to call the election since they are not the governing body of a township.

Secretary Harlan Boyles said the Local Government Commission recognizes the opinion of the Attorney General's office. Boyles also said the maximum amount that could be taxed, assuming the bonds can be authorized, is one-and-one-half cents per \$100 valuation, rather than the four cents per \$100 valuation that will be voted on in the August referendum.

Boyles presented his views in a letter written at the request of Rep. Allen Ward, the Shallotte newspaper reported in the front-page story last week.

Both Prevatte and Southport City Attorney

Carter Lambeth told The Pilot that they believed that the commissioners were the governing body of a township under law. Prevatte said he had taken no position on the amount of the tax since it did not effect the county.

Lambeth said his research showed that the township could levy a four-cent per \$100 valuation to support a hospital district under the laws of the state. (See related article about Southport board meeting in this edition of The Pilot.)

He said the North Carolina Supreme Court

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THE PRELIMINARY SITE PLAN for the Brunswick County courthouse - complex was presented to county commissioners Monday. Commissioner Franky Thomas, Chairman Steve

Varnam, Jr., and Architects John Boudreaux and Lesesne Monteith, shown left to right, review the plan.

Site Plan Reviewed For County Complex

By BILL ALLEN
Staff Writer

The preliminary site plan for the Brunswick County courthouse-complex was presented to commissioners during their regular meeting Monday.

John Boudreaux, Lesesne Monteith and Kelly Harvey, members of the "design team" of LBC&W, architects and engineers on the project, reviewed the preliminary site plan with the commissioner. (See pictures in this edition of The Pilot.)

Commissioners expressed pleasure at the site plan they reviewed at the meeting. "We feel you have lived up to the expectations we had in you," Chairman Steve Varnam, Jr., declared.

Boudreaux said the firm will have a more elaborate presentation to make at the next regular board meeting on June 7. He said a model and master plan will be presented at the meeting.

After the meeting, Chairman Varnam announced that the county will not have to hold a bond issue to finance construction of the complex.

Under the law that allowed the people to vote to relocate the courthouse, the board had until Wednesday (May 19) to apply to the Local Government Commission if a bond issue had to be held.

Chairman Varnam said the board believed that the county could finance the complex without the bond issue by using phased construction. He said he hoped the complex could be constructed in two phases, but it could take longer.

It has been estimated that the complex will cost about \$4 million, but a definite figure has not been arrived at yet.

If everything goes according to the present schedule, Boudreaux said construction of the complex will begin this fall.

In related action, the board voted unanimously to hire Patrick Allen to make the required topographical survey at the suggestion of Chairman Varnam.

The chairman said the board needed to hire the surveyor to make the survey, which will take about two or three weeks, in order to not delay LBC&W. The board has discussed the matter at several meetings, but had taken no action because surveyors would not quote prices charged to do the work.

Chairman Varnam said he "believed we will get a fair price" from the surveyor selected to do the work. He said he did not think the surveyor would try to "hold up the county."

Chairman Varnam nominated Allen, who was unanimously selected to do the work. Commissioner Ira Butler, Jr., nominated Gerrit Greer, but it died without a second.

During the review of the preliminary site plan for the complex, Monteith said changes can be made before the master plan is presented.

He said the design is similar to a campus-type plan with a surrounding loop road "to give a feeling of unity. It is half-way between the formal and the informal," he pointed out.

Monteith said the 12 buildings on the site are rectangular at the present time, but can be changed. He said they were all connected in

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Values Change, But Not Sure To What

By BILL ALLEN
Staff Writer

Hundreds and hundreds of property values in Brunswick County were changed — lowered — in apparent violation of the Opening Meetings law during the Board of Equalization and Review meeting Tuesday.

The commissioners spent the day approving new property values in the county without much discussion. They reviewed the large numbers of property cards in seven folders and marked whether they approved or disapproved the new values on check-off sheets.

Only two commissioners — Chairman Steve Varnam, Jr., and Commissioner W.T. Russ, Jr. — were present when the session finally came to an end around 4 p.m. Tuesday.

Commissioners Franky Thomas and Willie Sloan left the meeting shortly before it ended because they had finished marking their check-off sheets. Commissioner Ira Butler, Jr., was only present for part of the morning session.

Since a quorum was not present to approve all the changes in one motion and adjourn the meeting, the session was continued until Thursday at 7 p.m. at the Hood Building.

Tax Supervisor K.T. Bellamy, who serves as clerk to the board, was instructed to tally the votes of each commissioner and present the results for final approval Thursday night.

Questions were raised at the start of the meeting about

whether the method used to approve the property changes was in violation of the Open Meeting law. The law requires that all meetings of public boards shall "be conducted openly."

The general statutes of North Carolina gives the Board of Equalization and Review the authority to change tax values. "On the basis of its decision after any hearing conducted under this subsection, the board shall adopt and have entered in its

minutes an order reducing, increasing or confirming the appraisal appealed or listing or removal from the tax lists the property whose omission or listing has been appealed," the Machinery Act stated.

Attorney W.C. Lassiter, who serves as the general counsel of the North Carolina Press Association, said the law means that "there should have been a motion by a member of the board, seconded by another member of the board to fix the values

of the respective properties in amounts determined, which motion should have been voted on openly in the meeting."

Lassiter said that any member of the public who was present at the meeting would not have known what action was being taken when the individual members of the board were using the check-off sheets.

When the question was raised at the meeting, commissioners said they believed they were acting legally. They said they did not believe it was possible to vote on each of the changes individually.

Commissioners spent most of the day reviewing property cards and marking their check-off sheets. They did not discuss openly the changes being made, but said the records would be available after the meeting.

Bellamy said he could not estimate how many changes the board approved during the meeting. Russ said he believed that the board acted on more parcels of property than it did last year when the meetings did not end until

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Pender Man Seeks House

Anthony Caputo of Pender County filed Monday as a Democratic candidate for the 11th District seat in the state House of Representatives.

A resident of Burgaw, Caputo is active in community affairs and recently served as chairman of the Bicentennial celebration at Moores Creek National Military Park. He is presently serving as senior warden of St. Mary's Episcopal Church.

Following a career in the U.S. Marine Corps, Caputo has been associated for several years with a national company in an executive position.

Caputo said he decided to enter the Democratic race for the House because he believes that "the citizens of



Brunswick and Pender counties want to be

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Man Shot In Wilson Theft

A Southport supermarket manager was shot during an armed robbery Monday night.

Det. Douglas Padgett reported that Manager Jim Brown was shot and robbed shortly before midnight Monday while closing Wilson's on Howe Street.

Brown, who was shot in the side after turning over the money, was taken to Doshier Memorial Hospital. He was transported by the Southport Rescue Squad to a Wilmington hospital and was released Tuesday.

Padgett said the Brunswick County Sheriff's Department is investigating the shooting and robbery, but no arrest has been made.

He reported that it has not been determined how much money was taken during the robbery. Cash, checks and food stamps were all taken.

The law officer said that Brown had been working late with a clean-up crew after the store closed. He was locking the door around midnight when he was approached by a black male.

The man pulled out a pistol and said he wanted the money in the grocery sack. Brown handed over the money and was shot for no apparent reason, Padgett said.

Brown told law officers that he saw the man run down beside the store and into the woods. It was the last time he was seen.

5 Nominated To CRC But Kopp Not On List

The Brunswick County Board of Commissioners nominated five residents to serve on the Coastal Resources Commission during a regular meeting Monday.

Residents nominated included Bob Ward of Town Creek, coastal agriculture; Norman Bellamy of Holden Beach, marine-related business; Southport Mayor E.B. Tomlinson, Jr., coastal area engineer; County Manager Don Flowers, Jr., local government; and Louis Hardee of Southport, at-large member.

Gov. James Holshouser, Jr., will select the members of the commission, which is in charge of the Coastal Management Act.

Former county commissioner William

Kopp, Jr., who represents the county on the commission at the present time, was not re-nominated to serve another term.

In other business, Calabash town commissioners Ivey High and Lester Beck requested that Calabash be given \$3,000 to \$4,000 to do mosquito spraying in Calabash and Shady Forest this summer. They said he money was needed to buy a truck and chemicals to do the spraying.

Chairman Steve Varnam, Jr., said all requests received from towns in the county will be discussed with Flowers and Mosquito Control Director Tink Benton. Commissioner Franky Thomas suggested that all requests received from towns off mosquito control help be

discussed at the next meeting.

Chairman Varnam reported that the county will receive \$380,584 in revenue sharing funds for the last six months of the year. A total of \$300,000 will be placed in the capital reserve fund for the complex project and the other \$80,584 into the water system.

The board authorized Chairman Varnam to sign two grant applications. One is to the LEAA for a juvenile officer in the sheriff's department and the other one is for an Employment Security Commission employee in the Department of Social Services.

Thomas asked County Attorney James Prevatte,

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