



AMERICAN FLAGS are presented by the VFW Post 10400 and Ladies Auxiliary to Col. Marion Burn (left), principal of Southport Primary School, for display in each room of the school. Others participating in the recent ceremony are,

left to right, Post Commander Al Martin, Jr., Ladies Auxiliary representative Shirley Vittoe and Bill Schuck, Junior Vice - Commander of the Boiling Spring Lakes organization. A total of 36 flags were presented.

## City Hires Attorney To Push Annexation

By BILL ALLEN

A Wilmington attorney has been hired to represent the City of Southport in the proposed annexation of industrial plants into the city limits.

The Southport Board of Aldermen, meeting in regular session Thursday night, voted unanimously to hire Wilmington Attorney John Newton to provide legal advice in the annexation controversy.

Mayor E.B. Tomlinson, Jr., announced that Newton was being hired to represent the city in "one manner and one manner only" — annexation.

The action was taken after City Attorney Carter Lambeth said in a letter to the board that he could not represent the city in the annexation in order to avoid any conflict of interest. Lambeth also represents Pfizer, Inc.

The board voted unanimously to hold a closed meeting to discuss "personnel." The public was asked to leave the closed session, which lasted 15 minutes.

In other business, the board voted unanimously to seek the "full amount" owed the city under contract on the water, sewer and storm drainage project.

Hilco, the general contractor, owes the city \$13,550 because it was 271 days late finishing the work, according to a letter from Henry Von Oesen, engineers on the project. Pierce Ditching Company was 211 days late and owes the city \$10,550, the letter said.

Mayor Tomlinson expressed concern when told by City Manager Alvin Kornegay, Jr., that most of the money the city will collect will have to be paid for additional inspection fees. Lambeth was asked to look into the matter and report back to the board.

Alderman Harold Davis questioned why K & M Fuel Sales — Alderman Conley Koontz's company — was allowed to install a radio antenna on the city water

tank while the police and fire departments and a communications company could not do it.

Kornegay told Davis that the board voted two years ago to allow the communications

company to install an antenna on the water tank, but it was never done. He said he acted under the same resolution in allowing Koontz's firm to put up an antenna.

Davis and Alderman Pierce Horne said they did not remember the board approving the resolution two years ago.

"It seems like it has caused

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## Annexation Hearing Is Delayed, Meeting Today

The Southport annexation public hearing scheduled for Monday night has been postponed, Mayor E.B. Tomlinson, Jr., announced Tuesday.

Mayor Tomlinson said the Southport Board of Aldermen will hold a special meeting Wednesday (today) at 4:30 p.m. to establish a new date for the public hearing.

He said he expected that the public hearing will be held in mid-December.

The public hearing scheduled Monday night had to be postponed because the legal notice informing

the public was not published four times prior to the session.

"The current procedures in effect did not meet the necessary public notice criteria," the mayor noted.

The board made plans to hold a meeting Tuesday night to set a new date for the public hearing. But it had to be delayed until Wednesday afternoon because of the lack of a quorum.

Both the Brunswick nuclear plant and Pfizer, Inc., have already announced that they oppose being annexed into the city.

## Hospital Case To Go To Court On Monday

A hearing on the lawsuit challenging the constitutionality of the Smithville Township hospital district referendum is expected to be heard on Monday in Brunswick County Superior Court.

"It is on the motion docket and it most likely will be heard on Monday," said Assistant Clerk of Court Judy McClain.

Taxpayers opposed to the district filed the lawsuit against the county after the referendum was approved by 84 percent of township voters in the August primary. The plaintiffs

will be represented by attorney J.B. Lee of Whiteville.

County attorney James Prevatte, Jr., and attorney Carter Lambeth will represent the Brunswick County commissioners, Doshier trustees and citizens.

The case of Long Beach vs. A.H. Gaine, Jr., also is on the motion docket. It involves a zoning dispute.

Judge Henry McKinnon, Jr., will preside over the civil session of Superior Court, which is scheduled to end on Wednesday.

## No Hospital Tax Included On Bills

The four-cent hospital tax will be missing when Smithville Township tax notices are mailed this week — two-and-one-half months late.

County Manager Don Flowers, Jr., said the hospital tax is being omitted from the Smithville tax notices "because we felt the court should make the final decision."

"I made the decision acting under the Fiscal Control (budget) law and upon the advice of the county attorney (James Prevatte, Jr.) and the Institute of Government," Flowers stated.

Smithville Township property owners, however, may still be charged the special hospital on their 1977 taxes, depending on the court case. "It is possible the county could re-bill for the four-cent hospital tax," Flowers stated.

Flowers said he believed the decision he made was more a legal, rather than an administrative matter, since the issue is in the courts.

"I don't feel the authority given me under my responsibility as chief budget officer permits me

to send out the bills with the four-cent tax without the issue being decided by the judge," he explained.

Southport Mayor E.B. Tomlinson, Jr., who is chairman of the Doshier Board of Trustees, said the decision not to bill the tax on the first notices will have "no effect" on plans to improve the hospital.

"It is the county's decision since they collect the tax," he stated.

He said he had been assured by Flowers that the hospital tax will be billed once the court makes a decision. The lawsuit challenging the constitutionality of the hospital tax referendum is expected to be heard in Brunswick County Superior Court next week.

Mayor Tomlinson said he was "confident" that the court would approve the referendum and the tax will be billed even if the case is appealed.

The Brunswick County Finance-Computer

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## Long Beach Considers Charter Change Monday

By BILL ALLEN

The Long Beach Board of Commissioners will vote on an ordinance to amend the present town charter at a special meeting on Monday at 7:30 p.m.

The board voted unanimously Monday night following a public hearing to consider acting on the ordinance amending the charter at the special meeting next week.

Despite the unanimous vote, Mayor Harold Crain said he believed that the "board is probably divided on the proposed changes." After the meeting, Commissioner Russell Morrison told citizens that he planned to vote in opposition to the changes.

Most of the discussion at the public hearing and meeting Monday night centered around the proposed charter change that would limit the power of the town manager and give more to the board.

Four of the six citizens, including two former commissioners, who were present spoke in opposition to the changes while only one was in support. The board and the citizens all expressed disappointment because of the small number of people attending the hearing.

All six citizens were given numerous chances to express their views during the public hearing. In fact, Mayor Crain made special efforts to encourage the citizens to express their views.

After the hearing ended, Commissioner Ellis Dudley, who has been pushing the charter changes, made the motion that the amending ordinance be considered at the special meeting Monday night. Commissioner Pauline Morgan seconded "so we can discuss it." It was unanimously approved.

Under the proposed changes, the number of commissioners would be increased from five with a mayor to six with a mayor. The original proposal was to have the present five with a mayor to clear-up any confusion in the charter.

Elections, under the second proposal, would be conducted

on the first Tuesday after the first Monday in November rather than May as required by state law.

The mayor would be able to vote only to break a tie under the third proposal. Most of the opposition to the proposal died after it was decided to recommend that the town have six rather than five members on the board.

The two controversial proposed changes to be considered Monday night involve the power of the town manager. Under the first one, the manager "shall appoint, suspend or remove officers or department head

in accordance with general personnel rules, regulations or policies as council may adopt."

The manager "shall direct and supervise the administration of all departments, subject to the general direction and control of council," under the second provision.

Former Commissioners Don McNeill and Nancy Leggett, Pat Helms and Ruth Somers expressed concern about the last proposal being "ambiguous." They pointed to the words "may" and "general."

Dudley told Mrs. Helms

that the wording for both changes came from the state statutes. If they are approved, he said he had two other proposals to offer to spell out the meaning clearly.

Under the first change, Dudley said the manager will be required to "consult" with board members about hiring and firing, but will make the decisions himself.

Dudley said Town Manager John Berry, who did not express his views about the changes at the meeting, agreed with the proposal.

Commissioners can talk with town employees and

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## Board 'Officially' Asks For School Pay Details

By BILL ALLEN

Brunswick County Board Chairman Steve Varnam, Jr., has made a request that County Manager Don Flowers, Jr., be given "any

(Board of Education) information he may request at the present time or in the future."

Chairman Varnam made the request in a "Dear Wilbur" letter sent to Board of Education Chairman Wilbur Earl Rabon on November 9.

Flowers, who made a copy

of the letter available to the press on Monday, said Chairman Varnam had not received a response from the letter.

Flowers requested that Supt. Ralph King provide him with current salary information to give to the incoming commissioners. But the Board of Education, pointing out the information was provided at budget time this year, turned down the request until it was made by the county commissioners. (State Port Pilot, November 3, 1976, Page 1)

"We believe the county manager is acting within the normal confines of state law under his duties as chief budget officer and he also acts with our endorsement," Chairman Varnam said in the letter to Chairman Rabon.

Although the county commissioners have had several meetings since the school board turned down Flowers' request for salary information, the matter has not been discussed in a public session, or any "endorsement" action taken.

In addition to making the request in the letter, Chairman Varnam told Chairman Rabon that "there are a few items we would appreciate your board letting us know your present feelings."

He said the commissioners needed to know what steps have been taken towards holding a school bond referendum.

"We publicly stated we would endorse and would help support a bond issue for construction of new school facilities in Brunswick

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## Early Publication

The State Port Pilot will be published early next week on Tuesday, because of the Thanksgiving holiday.

No news material brought into The Pilot office after noon on Friday can be assured of being in next week's edition.

Also, no classified advertisements will be accepted after 5 p.m. on Friday, and display advertisers are requested to have their material ready for pick-up by our advertising department on Saturday.