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Mining victory

Supreme Court
reverses lower
hearing matter

By Terry Pope
County Editor

Mining opponents and county officials view last week's N. C. Supreme Court decision as a minor victory in their battle to keep Martin Marietta Aggregates Inc. from opening a large limestone quarry north of Southport.

The Supreme Court reversed a 1996 appellate court decision that refused to hear arguments over the legality of Brunswick County's safety ordinance, which prohibits mining with explosives and dewatering techniques within five miles of the Military Ocean Terminal Sunny Point ammunitions depot and Carolina Power and Light Co.'s Brunswick nuclear plant.

That would include all of the 1,000-acre tract owned by Martin Marietta near Bethel Church Road, the site of the company's proposed mining operation which is expected to yield enough limestone to supply the company's local demand for the next 40 years.

The N. C. Court of Appeals ruled in July, 1996, the issue was moot and not ripe to be heard since Martin Marietta did not hold a state mining permit. The ruling was appealed by the Brunswick County Board of Commissioners, which claims there are issues that need to be decided now over the county's right to safeguard the underground aquifer from mining operations and to protect twin nuclear reactors from possible sinkhole formation.

Brunswick County attorney Huey Marshall said the Court of Appeals erred when it overlooked the important issues involved in the case simply because the mining company had not yet obtained a state mining permit. Martin Marietta withdrew its mining application amid questions from various state agencies that reviewed the company's plan to dig at depths of 150 feet below the surface and into the Castle Hayne aquifer to extract rock deposits.

"It is true the trial court didn't dispose of all outstanding issues," said Marshall, "but the county does have substantial rights affected by the ruling on this one issue. The Court of Appeals should hear
See Mining, page 8

Southport yard waste collected

Yard waste will be collected in Southport each Wednesday, according to Waste Industries Inc. "Please put waste in the old black roll-out carts, or bag and bundle it," the announcement stated. "Bags and bundles must not exceed 50 pounds. Bundles must be tied in lengths no more than four feet long. Do not use the new roll-out carts for yard waste."



Photo by Jim Harper
Long Beach assistant fire chief Rodney Brock directs the deluge gun from atop a Yaupon Beach pumper. Heavy weapons like this, along with air-dropped water from Forest Service planes and hand lines manned by other firefighters, helped preserve Dutchman Acres.

SAVING Dutchman Acres

By Richard Nubel
Municipal Editor

Quick action by N. C. Forest Service and volunteer firefighters from throughout Brunswick County likely saved the Dutchman Acres community from destruction by fire Tuesday afternoon.

Dutchman Acres residents evacuated their homes Friday around 4 p.m. as flames from what began as a controlled burn east of the community whipped up in strong winds and spread toward the subdivision of about 40 homes.

Forestry service officials used plows to cut a fire line near a dirt extension of Bayview Road in Dutchman Acres. Though fire eventually jumped the line and burned northwest of that road, the blaze was stalled somewhat by 5:15 p.m. Forestry service airplanes joined in the attack, dumping water from above and slowing the fire's westward progress toward the neighborhood.

In all, about 80 acres surrounding Dutchman Acres had been involved by 8:30 p.m. when the fire was declared under control.

Fire officials were first alerted to a report of a controlled burn gone awry at
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Fire departments from throughout Brunswick County converged on Dutchman Acres on Tuesday to preserve that community from a raging woods fire.

Southport

City's system in worse shape than expected

By Richard Nubel
Municipal Editor

Stormwater infiltration of the City of Southport's wastewater collection system is even worse than city officials imagined and once it enters the system, flow must pass through a maze of broken pipeline, knotted with tree roots.

Worse news may be forthcoming, public services director Ed Honeycutt told aldermen Thursday. This bad-enough news comes after consulting engineers conducted an examination of the city wastewater collection system in dry weather. Engineers want to reexamine the system when it rains.

"I caution you," Honeycutt said. "What is going to happen is, they are going to recommend a lot more repairs when they survey this system wet."

The oldest part of the city collection system, which serves the historic district and waterfront, was put to three tests which were completed last week, Honeycutt said -- a physical analysis, a test using smoke

'It's obvious we are not going to do this with money in the city. We are going to need grants and loans from (other levels of) government.'

Ed Honeycutt
Public services director

injected into the system and an inspection below ground using cameras.

The physical inspection found manhole covers with holes that
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Live oak trees are threatened

By Laura Kimball
Feature Editor

Southport's live oak trees are sick and dying.

The tremendous, leafy trees that shade parks, sidewalks and porches are being attacked by an insect known as a live oak kermid.

The scale insect is round, brownish-black and about the size of a large pearl. It attaches itself to the outer shafts of branches and sucks sap from a tree.

According to David Nash, Brunswick County cooperative extension agent, the insects basical-

ly suck life out of a tree. Also, they produce a black, sooty resin that coats the leaves and keeps the tree from photosynthesizing.

Nash has never seen an outbreak as bad as this one, he said, and the problem is only occurring in Southport.

Nash met with city manager Rob Gandy, professor and extension forestry specialist at N. C. State University James McGraw and Southport resident Elbert Felton Friday at City Hall to discuss the problem and what to do about it.

Felton is one of many Southport
See Live oak, page 6

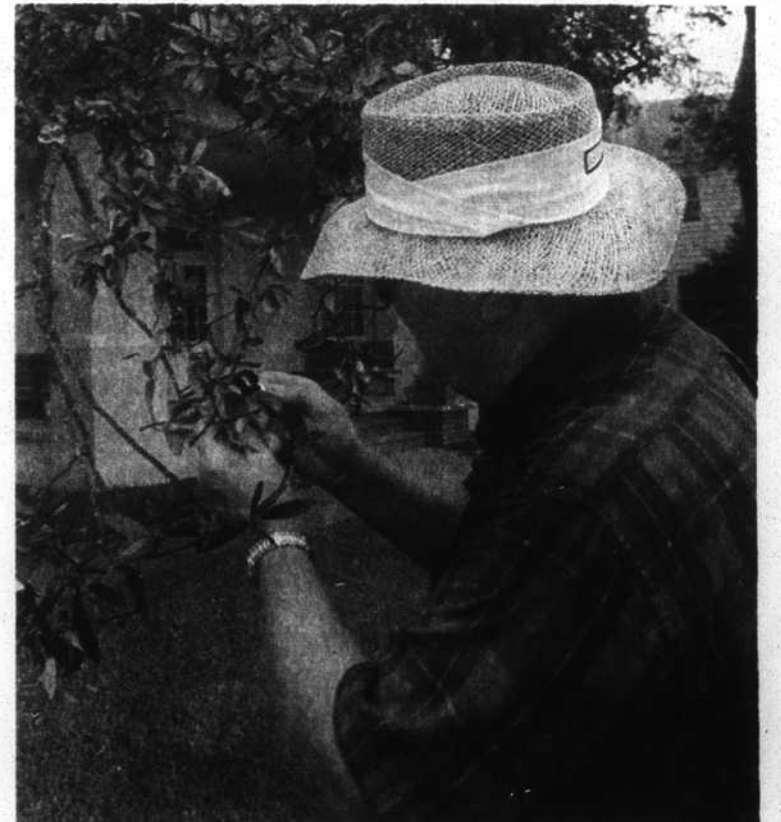


Photo by Jim Harper
James McGraw examines one of two gigantic live oaks on the front lawn of Southport's City Hall. The affliction of kermids is clearly shown on dead oak bough limbs throughout the community.

Oak Island rescue service

Yaupon still balking at contract

By Richard Nubel
Municipal Editor

Mayor Dot Kelly and commissioner Dick Marshall both laughed Monday night when a request for payment from neighboring Long Beach was placed before the Yaupon Beach Board of Commissioners.

Later in his report, Marshall said his business was inconvenienced by the town's move to once-

weekly garbage collection this year and public funds should be used to pay for a Saturday trash pick-up.

Long Beach town manager Jerry Walters wrote Yaupon Beach officials June 29 acknowledging commissioners' had only paid 60 percent of the Yaupon Beach share of Long Beach Rescue Squad costs last year, or \$5,154.

Yaupon Beach at the beginning of 1997-98 had agreed to pay over \$7,200, or a proportional share

of Long Beach Volunteer Rescue Squad costs that year equal to the 14 percent of Oak Island population residing in Yaupon Beach. But, when volunteers were unable to answer an estimated 40 percent of calls to Yaupon Beach, commissioners cut payment, leaving Long Beach taxpayers to foot the bill.

"I have a problem with it," mayor Kelly said of Walters' request for balance of payment. "You go
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