

The Daily Tar Heel

Volume 102, Issue 133
101 years of editorial freedom
Serving the students and the University community since 1893

Chapel Hill, North Carolina
WEDNESDAY, JANUARY 18, 1995

News/Features/Arts/Sports 962-0245
Business/Advertising 962-1163
© 1994 DTH Publishing Corp. All rights reserved.



IN THE NEWS

Top stories from the state, nation and world

Earthquake Devastation in Japan Leaves 1,800 Dead

KOBE, Japan — Japan's nightmare of a disastrous urban earthquake came true Tuesday when a powerful quake tore through several western cities, toppling hundreds of buildings, touching off raging fires and killing 1,800 people.

The devastation was worst in the port city of Kobe, where the early morning quake collapsed roadways, knocked trains off their tracks, wrecked docks and severed communications. Huge blazes still burned 20 hours after the quake, lighting the night sky.

On the outskirts of the city, almost every home had collapsed. Ruptured gas lines fueled fires in block after destroyed block as burglar alarms shrilled in the night.

Chechen Leaders Say Talks Progress; Fighting Rages

GROZNY, Russia — Russian and Chechen negotiators took a step Tuesday toward a cease-fire in breakaway Chechnya, where the bloody 5-week-old war raged on. But many on both sides were skeptical any agreement would hold.

In the streets of Grozny, Chechen fighters scornfully dismissed Russian overtures toward peace, saying they were merely a ruse to fool world opinion while Moscow prepares new offensives.

A cease-fire last week broke down after only several hours.

Prime Minister Viktor Chernoymyrdin met Tuesday with two envoys from Chechen President Dzhokhar Dudayev in Moscow, a day after making a televised appeal for peace.

Bosnia Issues Ultimatum To U.N. Peacekeepers

SARAJEVO, Bosnia-Herzegovina — Croatia has already decided to kick out its U.N. troops. Now Bosnia is threatening to give 450 of its peacekeepers the boot if they don't open an airfield within two weeks.

The United Nations has been trying for a year to persuade Serbs to allow U.N. aid flights into the airfield outside Tuzla, 90 miles northeast of Sarajevo.

After the Bosnian capital, the city is the largest held by the Muslim-led government — and like Sarajevo, it is surrounded by Serbs.

The United Nations angered the government last week when it allowed Serbs to station an officer at the airfield as a guarantee against its military use. Still, Serbs have refused to allow the aid flights.

Floods Cause at Least \$1.8 Million in Damage to Roads

WINSTON-SALEM — Floods during the weekend caused at least \$1.8 million in damage to roads in northwest North Carolina and washed away part of a controversial bridge project in Valle Crucis.

Ten inches of rain fell at Boone during the weekend, and more than 14 inches fell in the western part of Watauga County, officials said. Grandfather Mountain in Avery County had about 15 inches of rain Friday and Saturday, but high wind made exact measurements impossible.

The downpour caused creeks, streams and lakes to overrun their banks.

By Monday, most of the rain had stopped and emergency crews were assessing the damage.

Senior Democrat Thwarts Movement on Amendment

WASHINGTON, D.C. — Sen. Robert Byrd, one of the fiercest Democratic opponents of a balanced budget amendment, Tuesday temporarily thwarted Republican efforts to advance the measure through committee.

With the Senate Judiciary Committee debating the measure, the West Virginia Democrat invoked a little-used Senate rule to object to the proceedings.

Under Senate rules, any senator may block any committee from meeting more than two hours after the Senate has convened for the day.

Republicans almost certainly will have the votes they need to push the amendment — the centerpiece of their "Contract With America" — through Congress and to the states for ratification.

THE ASSOCIATED PRESS

Weather

TODAY: Partly sunny; high near 60.

THURSDAY: Mostly cloudy; high in the 60s.

Council Hears Public on Commercial Growth

Two-Hour Debate Focuses On Traffic, Tax Revenue Increase, Store's Relocation

BY RYAN THORNBURG
CITY EDITOR

In what is becoming an ever more pressing issue for Chapel Hill, the Town Council heard more than two hours of public input Tuesday night on a development project that could increase traffic congestion on U.S. 15-501 but that also could bring the town increased tax revenue.

Nearly 30 speakers addressed a capacity crowd at Chapel Hill Town Hall on the proposed rezoning of eight acres in the northeast corner of the intersection of Sage Road and U.S. 15-501.

The proposed rezoning from residential

to community commercial conditional is being looked at because of a planned relocation of Lowe's hardware store, currently located at 1710 E. Franklin St between Elliott Road and Eastgate Shopping Center.

Lowe's had placed full-page advertisements in local papers calling for residents to speak at the public hearing in support of the rezoning effort.

Charlie Williams, president and general manager of Lowe's, told the council that the current site of the hardware store was insufficient to serve the community. He indicated that if the rezoning measure was not passed by the council, Lowe's would leave Chapel Hill.

"I would hate to see Lowe's pull up and move out because of denial of this zoning protest," Williams said.

Despite Williams' thinly veiled threat to pick up stakes and take tax revenues

down the freeway into Durham County, three town advisory boards recommended that the council deny the rezoning request.

Richard Franck, chairman of the Transportation Board, told the council that another large commercial establishment in the area would increase traffic on already congested local streets.

"The town's growth should not grow faster than the town's ability to provide services," Franck said.

According to a memo from Chapel Hill Town Manager Cal Horton to council members, the development would add 8,000 cars daily to the freeway already carrying nearly 40,000 cars a day.

But Orange-Chatham District Attorney Carl Fox, who lives in the area of the proposed shopping center, told the council that even if the area were developed with its current residential zoning, traffic in the area would increase.

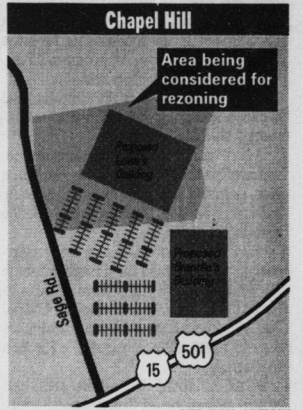
"Any successful use of that land, be it residential or be it commercial, would increase traffic," Fox said.

Chapel Hill-Carrboro school board member Bea Hughes-Werner said the council should take into consideration the funding for local schools that would come from the sales tax revenue generated by a major home improvement store in Chapel Hill.

But the main question of the night was one Chapel Hill grapples with more and more as plans for two new schools, the 425-acre Meadowmont development and an expansion of the town's physical borders are also being considered.

Some residents who came to speak said they were afraid Chapel Hill was losing its small-town atmosphere.

"Don't ask me to sacrifice my small town for your gardening tools," said David Izzo, who moved to Chapel Hill from New York. "Raise my taxes. I'll pay them."



Feeling Around



Senior Anna Burdeshaw is led around campus by her guide, Deborah Padgett, as she walks blindfolded behind Hamilton Hall Tuesday morning. The acting for nonmajors exercise was intended to teach students about trust.

University Appeals Judge's Ruling, Claims Browning Delayed

BY ADAM GUSMAN
UNIVERSITY EDITOR

The University is appealing a judge's Jan. 5 ruling that declared invalid the State Personnel Commission's decision against former housekeeper Eric Browning.

Browning's attorney, Al McSurely, received Tuesday the University's appeal of Superior Court Judge Narley Cashwell's ruling.

The appeal, signed Thursday by state Attorney General Michael Easley and Associate Attorney General Tom Ziko, claimed that the University had never received notice that the previous recommended decision of an administrative law judge was indeed the final decision.

In the appeal, the University petitioned the Wake County Superior Court for reversal of the decision of Administrative Law Judge Fred Morrison, who ruled in May that Browning be reinstated with back pay and legal fees.

"This petition is timely ... because it is filed within 30 days of notice that (Morrison's) decision is the final agency decision in this case," the appeal states.

The appeal also claims that any delay on the part of the SPC, which did not issue its decision in the University's favor until Nov. 4, should not be held against the University.

In addition, the appeal states that Browning and his attorney waited until Nov. 10 to raise the argument that the SPC could no longer overturn Morrison's ruling.

"That inactivity and delay on Mr. Browning's part led the University reasonably to believe that Mr. Browning had at least acquiesced in any delay by the SPC," the appeal states.

According to McSurely, the law states that if the SPC hands down no decision for 90 days from its first opportunity to hear

the case — the SPC's meeting on June 8 — then the recommended decision automatically becomes the SPC's final decision.

"The reason we waited (until Nov. 10) was in the vain hope that the SPC would rule in our favor," McSurely said Tuesday.

The SPC did not overrule Morrison's decision until early November — after the maximum 90 days — so Judge Cashwell granted Browning's petition to let Morrison's earlier ruling stand.

McSurely said Jan. 9 that because more than 30 days had passed in which the University could have appealed the SPC's decision if it had been delivered on time, he thought there was no longer a right to appeal.

"As far as I'm concerned, they sat on their rights; they should have gotten an extension if they wanted to appeal."

Browning filed grievances against the University in fall 1992 and spring 1993 complaining that he had not been interviewed for a position he had applied for and that a training request had been denied.

The University appealed Morrison's May ruling to the SPC, which overturned the decision. Browning then chose to appeal the case further to the N.C. Superior Court.

Browning was dismissed May 7, 1993, after he made threats to his supervisor.



The SPC ruled against former housekeeper ERIC BROWNING, but the decision came after 90 days had passed from its first opportunity to hear the case.

No. 3 UNC, No. 18 UVa. Square Off

BY STEVE ROBBLEE
SENIOR WRITER

Call this Big Game No. 1 in the ACC season for North Carolina.

After four games for each conference team, the ACC pecking order has been established — and Virginia is on top, followed closely by UNC.

The Cavaliers (10-3, 4-0 in the ACC) will visit the Smith Center tonight to play the Tar Heels at 9 p.m. The game will be televised nationally on ESPN.

UVa.'s biggest win of the season came Saturday when it upset Duke in Durham 91-88 in double overtime. With the win, the Cavs re-entered the Associated Press poll this week at No. 18.

And perhaps more importantly, it was Virginia's third ACC road win this season.

"They're probably in as good a shape as anybody has been in several years if you believe in the home and away theory, which history will tell you is pretty accurate," UNC head coach Dean Smith said Monday.

See VIRGINIA, Page 7

Why Do Coursepacks Cost So Much?

BY PETER ROYBAL
SPECIAL ASSIGNMENTS EDITOR

"Outrageous" is the word Jonathan Tepper used to describe the \$57 coursepack he bought at Student Stores last week, especially since the royalties cost more than the copying.

Tepper would have preferred to copy the reading for his political science class from the Undergraduate Library reserve desk and save almost \$30, but he did not have the choice.

His professor had already packaged essential readings for the semester into a coursepack and thus driven the freshman from Spain into a rapidly growing industry — one that provides students with convenient access to current readings but leaves them light in the wallet and stuck with a book that no one will buy back at the end of the semester.

"Everyone deserves the fruit of their work, but they are milking it for all it's worth," Tepper said.

Why So Expensive?

It's hardly news that coursepacks cost a lot — in many cases as much as textbooks. But what makes them cost so much? And how do prices compare among local stores?

Prices vary according to two factors: what the store charges to get copyright permission and produce the coursepack, and what the copyright owners charge for use of their material.

On the first count, a Daily Tar Heel survey found that prices vary dramatically from one store to the next. For example, an LSAT Preparation coursepack with no copyrighted material cost \$6.55 at Student Stores but would cost \$3.25 at Tar Heel Textbooks, based on an order of 25 coursepacks. Other area stores quoted prices from \$3.50 to more than \$5.

When comparing prices for coursepacks with copyrighted materials, the issue becomes more complicated. This is because the amount of labor required to get copyright permission varies from one article to the next.

Whatever the labor required, all stores surveyed in Chapel Hill

Price of Coursepacks Compared

Our survey found that the prices of coursepacks can vary significantly from one store to the next for a small, uncopyrighted coursepack.

Student Stores	\$6.55
Kinko's	\$5.59
Copytron	\$5.43
C.O. Copies	\$3.80
Tar Heel Textbooks	\$3.25

Prices based on 25 coursepacks with no copyrighted material.

SOURCE: DTH SURVEY

DTH/CHRIS ANDERSON

are on the high end of or above the national average of 8 to 12 cents per page quoted by Lori Jablonski, an official at the National Association of College Publishers.

Student Stores charges an average of 14 cents per page, said Gina Mahalek, course material manager at Student Stores. "Of that 14 cents a page, 5 to 7 cents is royalties and the remainder is the cost of printing and binding and getting permissions."

Tar Heel Textbooks, Copytron and C.O. Copies average about 11 cents per page, but they carry far fewer coursepacks than Student Stores and are free to refuse to produce less profitable coursepacks. Student Stores, on the other hand, is bound "to provide educational materials for all students," according to Mahalek.

No Profit

Despite the high per-page price of coursepacks in Chapel Hill, no one claims to make a profit from them, and, in fact, one major area store found coursepacks to be such a hassle that it stopped

See COURSEPACK, Page 2

Auditor Search Committee Assembling

BY STEPHEN LEE
STAFF WRITER

The search for a new internal audit director will begin as soon as a search committee has been fully selected.

Vice Chancellor for Business and Finance Wayne Jones said that as of Tuesday there were five members on the search committee but that not all the members had been selected yet.

"It's not finalized," he said. "We want to find one or two more members."

Chancellor Paul Hardin said he hoped to complete the committee within a few days so the search process could begin.

Jones said the search committee members already selected were faculty members, auditors from the state office and retired auditors.

"All are involved with auditing in one way or another," he said.

Hardin said the qualities he was looking for in potential candidates were experienced backgrounds in auditing and good

See AUDITOR, Page 2

There are three things extremely hard: steel, a diamond and to know one's self.

Benjamin Franklin