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Landfill ownership asserted by town

by William March
Staff Writer

According to Robert Peck, Chapel Hill town manager, the town now officially owns the Eubanks Road landfill site, and preparations for its use started Tuesday afternoon. The site will probably be in use by Friday, Peck said.

However, representatives of Carrboro, Chapel Hill, Orange County, and R.G. Hancock, formerly owner of the site, will appear at a show-cause hearing in Orange County Superior Court in Hillsborough on Wednesday, September 27, to show why, if at all, the towns should not be enjoined from using the controversial landfill site.

Emory Denny, the town attorney, will represent Chapel Hill at the hearing, which is in pursuance of a complaint filed by the New Hope Improvement Association against the use of the site.

The complaint was filed Monday by A.B. Coleman, an attorney representing the New Hope Improvement Association. It alleges a need for legal review of the rezoning of the site for use as a landfill,

for a legal decision concerning the need for compliance with state laws requiring an environmental impact statement, for a decision concerning the need for compliance with land-use provisions of the Orange County zoning ordinance, for a review of the possible environmental damage which might result, and a possibility that individually owned wells in the vicinity might be rendered useless.

John Kline, president of the New Hope Improvement Association, said, "While it is undoubtedly necessary that we get a landfill, and we don't really mind having it in our area, we think more planning is necessary, especially concerning the environmental effect of the project."

The association is a non-profit corporation of about 500 owners of property in Orange County and Chapel Hill.

"We have correspondence on file with the Orange County Board of Commissioners over a year old in which we have asked to be included in planning for a landfill," Kline said.

Several of the items of appeal listed in

the association's complaint are points mentioned by B.B. Olive, a Durham attorney, in his attack on the use of the site. Kline said Olive was an associate member of the association, but that Olive had no direct hand in preparing the complaint.

Peck said he felt fairly confident the complaint would not deter use of the site. "Of course we take this seriously, as we would any legal action. But we hope use of the site can proceed."

The town of Chapel Hill owns all but \$100,000 worth of the 202 acre site, which cost a total of \$235,000, and has a contract to purchase the remainder.

Denny said he was unable to predict how long it would take for a decision to be handed down in the hearing next week. He said Lucius Cheshire and William Staton, attorneys for Orange County and the town of Carrboro respectively, would probably take part in the hearing, as well as a representative for Hancock. Coleman will represent the plaintiff, and the judge will be Thomas D. Cooper, Resident Judge of Superior Court in the 15th Judicial District.

The complaint alleges that the approval of the site by the North Carolina Board of Health is not final. It alleges that a decision by Sidney Ustry, chief of the solid waste and vector control division of the board, has been appealed, and that approval is not final until the appeal is settled. B.B. Olive, who filed the appeal, says it is still pending and that the first steps in hearing the appeal have not been taken.

The complaint also alleges that the rezoning of the property was based on false, misleading and insufficient evidence.

Replying to that charge, Peck said, "There is only one permanent surface stream on the site and we will avoid it by 100 feet on either side in our dumping. The other streams appear only after rainfalls, and we are taking adequate measures for the protection of these. We have never found the other streams that Mr. Olive claims are there."

"We aren't about to go in there and dump garbage in a creek. That isn't the situation."

Weather

TODAY: Partly cloudy with mild temperatures; high in the mid 80's, low in the mid 60's; probability of precipitation 10 percent today, near zero tonight.



Just resting

Cathy Blaser decided to sit down and rest outside of Hamilton Hall Tuesday afternoon before she faced the long

climb to a class high in the new Social Sciences building. (Staff photo by Scott Stewart)

Watergate Seven

Innocence claimed

United Press International

WASHINGTON — The Watergate Seven, including two former White House aides, pleaded innocent Tuesday to federal charges of breaking in and bugging Democratic party headquarters. The judge indicated he would seek an early trial.

Over their objections, travel restrictions and bond of \$10,000 each were set for E. Howard Hunt Jr., 54, and G. Gordon Liddy, 42, the former White House assistants who were indicted by a federal grand jury Friday.

They were charged along with the five men who were captured before dawn June 17 inside Democratic offices at the Watergate apartment complex.

Lawyers for Hunt and Liddy requested they be released on their own recognizance, a privilege they said was granted even to ordinary rapists and muggers. But government prosecutor Earl Silbert opposed the move, arguing they were charged with "a very serious, heinous offense."

Chief Judge John J. Sirica of the U.S. District Court set bond for Hunt and Liddy at \$10,000 each but required that

they actually post only 10 percent in cash.

He also required that they get advance permission before leaving metropolitan Washington, and that they report by telephone once a week to the District of Columbia bail agency.

Sirica made clear he intended to expedite the politically sensitive Watergate trial. He denied defense requests for more time to file motions, and stuck to his 15-day deadline for motions and 10 additional days for responses.

Hunt, a former Central Intelligence Agency employe and \$100-a-day White House consultant, was first to arrive in the courtroom. "I've never even been in a traffic court before," he told an attorney.

Liddy, a former FBI agent who left the White House staff to become financial counsel to the Committee for the Re-Election of the President, was the only defendant to sit at the defense table for the arraignment.

The others, with Hunt sitting apart, stayed in seats in the spectators' section.

The Nixon campaign committee fired Liddy June 28 after he refused to answer FBI questions about the Watergate incident.

'Give 'em Helms'

GOP skepticism now delight

United Press International

RALEIGH — When veteran Senator B. Everett Jordan, D-N.C., was knocked off in a primary battle by a young congressman with an antiwar stance, N.C. Republicans were ecstatic.

At the same time, top GOP strategists from the White House down feared they had the wrong man running as a result of their own primary in a year in which President Nixon was expected to boost chances.

Party leaders had appealed in vain to 10th District Representative James Broyhill, D-N.C., to take up the party's lance for the senate race, believing him to offer the best chance for winning Jordan's seat. He refused.

Instead, they got Jesse Helms, a volunteer Democrat-turned-Republican who had never run for public office but had blasted lots of people who had in his daily editorials over WRAL-TV in Raleigh and a state radio network.

But their skepticism has turned to delight, shared by Harry Dent, special counsel to President Nixon, who says there are now arguments among top GOP leaders as to whether North Carolina is the top or merely number two chance the party has in the nation of replacing a Democratic senator.

Democratic and Republican leaders alike predict a strong sweep by Nixon in North Carolina in November, but most political oddsmakers do not expect the 7-4 edge the Democrats have in the House to change.

While Nixon was expected to sweep the state, Tar Heel residents have made a habit of keeping their national and state politics separate, and Democrat Hargrove Bowles was generally favored in the governor's race over Republican James Holshouser.



The Senate race pitting Helms and Representative Nick Galifianakis, D-N.C., son of a Greek immigrant family that owns two restaurants at Durham, is attracting most of the attention.

Helms, a thin, bespectacled broadcasting executive, has been to Washington once before, as a staff aide for the late U.S. Senator Willis Smith, a Democrat.

But in the past 11 years in which he has broadcast his daily caustic editorials blasting school busing, pacifists and Communism, he gradually became a Republican and drew an enthusiastic following.

His campaign buttons point to his editorials, reading: "Give 'em Helms."

Helms frequently criticized the President, particularly on the issues of revenue sharing, which Helms opposes, and for Nixon's "concessions to the Communists of North Vietnam" in proposed peace settlements.

But even while criticizing Nixon's peace proposals, he said the loudest voices raised against them "are those who overtly desire that the Communists be handed total possession of all of Vietnam."

Helms' primary campaign strategy is based on a proven campaign formula in North Carolina. Republicans have run well in western North Carolina in

statewide races, but have fallen down in the eastern, predominantly-farming areas.

Helms, from Raleigh, has his roots and much of his broadcast audience over the years in the east. He figures if he can carry the east and get the "normal Republican vote in the west," he can win.

His campaign has been rather low key. One campaign worker described part of the key to his easy primary win over a Republican legislator "the fact that he's been making political speeches for 11 years" over the broadcasting stations.

Galifianakis, 44, conducted a well-financed and vigorous primary campaign based on a constant whirlwind of handshaking that caught Jordan, who campaigned little, by surprise.

Galifianakis, one of the first Tar Heel congressmen to criticize U.S. involvement in Vietnam, found Jordan's age (75), his biggest asset, telling voters they needed "A senator capable of moving with the times."

He has based much of his campaign on offering proposals for dealing with crime and drug problems, the economy, educational and environmental problems.

Helms has repeatedly scored Galifianakis for his criticism of President Nixon, and this fall has received more and more aid from GOP officials.

Senator George McGovern was meeting a hands-off attitude from state Democratic leaders, with the exception of Governor Bob Scott, whose term ends in January. Scott, who cannot run again, agreed to head the state McGovern committee but indicated he will do little or no campaigning.

In contrast to other areas, McGovern's strongest support has come from labor. About 70 labor leaders have formed a McGovern labor committee and have urged the national AFL-CIO to end its announced neutral stand.



Reflections

This Chapel Hill gentleman found a convenient spot in the Franklin Street Post Office to catch up on some reading, not aware of his reflections that others could easily see. (Staff photo by Scott Stewart)