

The Daily Tar Heel

P.C., warm

The high temperature today will be in the mid-80s with a low near 70 tonight. The chance of rain is 20 per cent through Tuesday.

Bikes

Bike racing is a sport for the daring and bold. On Sunday the first Carrboro Criterium Bicycle Race was held. See story on page 5.

Monday, August 29, 1977, Chapel Hill North Carolina

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Water comes to Chapel Hill

Hillsborough will sell

Hillsborough officials agreed Friday to sell treated water to a drought-stricken Chapel Hill, but the purchase probably will not help conditions here for four to five months.

The agreement between the Orange Water and Sewer Authority (OWASA) and the town of Hillsborough was reached in the concluding episode of talks which apparently had broken down until last Thursday. The main source of disagreement during the earlier negotiations concerned the purchase of untreated water from county-owned Lake Orange.

The approved contract prohibits the purchase of untreated water from the lake unless a malfunction occurs in the Hillsborough treatment plant, or a new reservoir with a capacity at least double that of Lake Orange is constructed.

The construction of a \$1.5 million pipeline to pump the new purchase to Chapel Hill will begin as soon as possible, said OWASA Executive Director Everett Billingsley. He estimates the construction will take four to five months to complete — probably too late to help with the current drought.

Mandatory conservation efforts have been in effect in Chapel Hill since July. Last year, the mandatory restrictions on water use were not put into effect until the arrival of UNC students.

"I don't foresee the pipeline being any immediate help unless the drought extends much longer than it did last year," Billingsley said. Last year, University Lake was not full until Christmas Day. And this year, Billingsley said, is worse than last year, "so it is still extremely important to continue conservation measures."

"We understand the students' feeling of disgust at returning to school in the midst of another water crisis," Billingsley continued. "We hope we can ride out the current water crisis with conservation and a little rain."

In earlier negotiations, Hillsborough officials steadfastly had refused to allow the purchase of untreated water from Lake Orange under any circumstances. OWASA negotiators wanted the ban on raw-water use terminated after 1983.

This disagreement led to the breakdown in negotiations until last Thursday, when Billingsley called Hillsborough Mayor Fred Cates to propose the Friday session.

Under the contract, OWASA can buy up to 2 million gallons of treated water daily from Hillsborough. Hillsborough is not required to sell water when it cannot spare it. The Hillsborough water system has a capacity of about 3 million gallons daily, and the town consumes about a million gallons daily.

Chapel Hill is buying an average of 3.7 million gallons of water daily from Durham. The consumption level has been approximately five million gallons a day since students began arriving for the fall semester.

OWASA has agreed to pay 45 cents for each thousand gallons of the first million gallons of water purchased and 40 cents for each additional thousand gallons.

The eleventh-hour agreement allows OWASA to apply for federal assistance with the pipeline under the Emergency Drought Assistance program. The town has been extended a Monday deadline for its application.

OWASA has considered several alternative sources of water during the summer-long drought, but Billingsley said OWASA preferred that Hillsborough be the water source.



Photo by David Dalton

A suit is the latest of what Chapel Hill Mayor James C. Wallace has called a "zoo of difficulties" surrounding the town's new parking ordinance. On this street, as many others near campus, cars are an endangered species.

UNC prof organizes Hunt's retreats

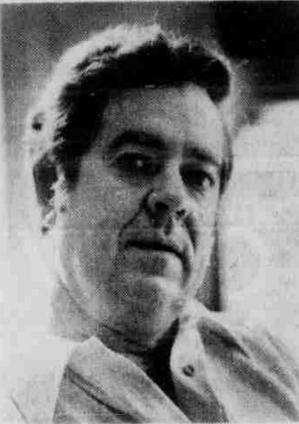
By DAVID STACKS
Staff Writer

When Gov. Jim Hunt wanted to invite his newly-appointed department secretaries to the Governor's Mansion for a get-to-know-you dinner in January, UNC Associate Professor of Education Gene Watson declined.

"There's too much game-playing at a formal dinner," said Watson, who is Hunt's expert on group communications. "I felt they should get to know each other in a less formal setting."

Instead Watson organized a series of weekend retreats for the governor and his top administrative heads to get to know each other in a setting away from cabinet meetings and jangling telephones.

A first impression might lead to the



Gene Watson

conclusion that Watson is the resident psychiatrist for the governor's staff.

"But he's not a psychiatrist or a shrink," Hunt's press spokesman, Gary Pearce, said. "A shrink tells people how to deal with their problems. Gene helps people overcome barriers in dealing with each other."

Watson is acting director of the Governor's Executive and Organizational Development Program, a post he will hold until a new director is chosen Oct. 1.

"Gene doesn't solve our problems," said Pearce, who has attended Watson's retreats. "He is good at getting us together to solve our own problems."

The associate professor also sits in at Hunt's weekly cabinet meetings and evaluates staff members' relationships with each other and the governor. He conducts retreats for department secretaries' staffs to help improve communication in and between state government offices.

"I help them check out their perceptions of their roles in state government and their roles with the governor," Watson said.

Staff members also discuss managerial problems such as whom to seek for decisions when the governor is out of town.

"We do a lot of brainstorming," Watson said, "and very effectively, too. People do a lot of free-wheel thinking at the retreats."

No spouses are allowed at the retreats, Watson said, because it is more difficult for people to get to know each other in large groups. The only people who attend are the governor, his nine department secretaries and a handful of administrative aides.

Hunt has more time to spend with staff members at the retreats than he does at cabinet meetings and other events at the state capital in Raleigh, Watson said.

"Cabinet meetings are very carefully limited to no more than an hour and a half,"

UNC law student to file suit against town's parking order

By CHIP PEARSALL
Staff Writer

A UNC law student is expected to file a class-action lawsuit in Orange County Superior Court today against the town of Chapel Hill, charging that the town's new parking ordinance is unconstitutional.

Phillip E. Williams, a second-year law student, asks in the suit that the parking ordinance, which allows residents of the affected streets to obtain special parking permits, be declared unconstitutional under provisions of the Fourteenth Amendment of the U.S. Constitution and Article Two of the N.C. Constitution.

In addition, the suit asks for a temporary restraining order prohibiting the town from enforcing the ordinance until a judgment is rendered.

The ordinance, adopted July 11 by the Board of Aldermen, went into effect Aug. 15. It restricts parking on 41 streets (about 500 spaces) near the UNC campus between 9 a.m. and 4 p.m., Monday through Friday.

Town residents living on restricted streets can apply to the board for free special parking permits if parking near their residence is not available.

The suit charges that the ordinance creates a special class of persons — those who are granted parking permits. Since all citizens have a right to free use of public streets, the suit claims, the ordinance violates the Fourteenth Amendment of the U.S. Constitution by discriminating against persons not allowed permits.

In the suit Williams charges: "That the needs of the Plaintiff to park in the affected areas are equal to those of the landowners who have chosen to use their premise in such a way as to make parking impractical."

"That there is no substantial basis in law or equity upon which the special parking privileges granted... may rest."

"That the... ordinances bear no relation to the public welfare generally, but were designed for the convenience and interest of a special class."

"That the... ordinances are violative of the public trust in which the streets... are held and permits a special private use of the streets..."

Persons who have cars towed must pay towing charges, the suit says, and town employees are being used to enforce the ordinance instead of safeguarding public welfare.

In addition to asking that the law be struck down and a temporary injunction be granted, Williams seeks in the suit a permanent injunction against enforcement, court costs and "further relief as to the Court seems just and proper."

A restraining order would prohibit the town from enforcing its ordinance, and the board would then have to decide how to deal with parking on the streets.

During the first week the ordinance was in effect, wreckers towed 130 cars in Chapel Hill. Police estimated that 90 per cent of those were removed from newly restricted zones. Figures for Aug. 23 to 29 were not available.

Chapel Hill police officer Ben Callahan said last week that approximately 20 cars per week were towed in Chapel Hill before the ordinance took effect.

Other N.C. cities have attempted to ban or restrict parking, with varying degrees of success. Alderman Gerry Cohen said Thursday that in some places, courts have ruled that cities did not have the authority to ban parking.

But, Cohen said, the N.C. General Assembly granted Chapel Hill the authority to restrict parking when it approved a

charter amendment submitted by the Board of Aldermen in May.

The parking issue arose when citizen petitions flowed to the board, urging members to consider the safety of travel on the streets and residents' inability to find parking near their homes.

Trying to relieve congestion in the cramped central district of town, the board examined parking plans. A public hearing in February on charter amendments was held, and the parking problem was discussed. The constitutionality question was raised at that meeting, Cohen said.

After the hearing, a joint subcommittee of planning board and transportation board members studied city parking and recommended that the 41 streets be restricted. Originally, 1,200 parking spaces were considered for restrictions.

Minimum width standards, streets laid in citizen petitions and streets heavily used by commuters were considered by the subcommittee. Its recommendations reached the Board of Aldermen, which discussed the ordinance.

Cohen, a lawyer, said the board discussed the possible legal problems involved when it deliberated on the ordinance. The town attorney's office advised the board during its discussions, according to acting town attorney David Drake.

Drake said Thursday that the constitutional questions and cases in other cities were researched by the attorney's staff.

The possibility of a lawsuit exists whenever a new ordinance takes effect, Drake said. "There was no one who expected this one not to be challenged," he said of the parking ordinance.

"(The board) had the authority," Drake said. "The ordinance is constitutional until a court finds it not to be."

Chapel Hill Mayor James C. Wallace said Wednesday he thought the board focused more attention on the issue of residents' rights to "get into their own driveway" rather than the constitutional questions involved.

"It will take about 90 days for us to find the strong and weak points of the plan," Mayor Wallace said. "If we have to retract, retreat or change, we will."

"Nothing is in concrete yet," he said.

A \$27 traffic citation, or a \$1 ticket and towing charges face ordinance violators, officer Callahan said last week. He added that police officers in the two patrol zones mainly affected spend up to 30 minutes on each car to be towed or cited.

If the driver returns to his vehicle before it is towed, he gets a citation, Callahan said. Otherwise, the car is towed. Charges run from \$15 to \$35, depending on the time of day and special towing equipment needed.

Callahan said that when officers are tied up with ticketing and calling wreckers, the department calls in other policemen to handle calls in the area.

Bell error protested

Payment method not publicized

By HOWARD TROXLER
Staff Writer

Chapel Hill Alderman Gerry Cohen has requested that the N.C. Utilities Commission investigate Southern Bell Telephone Co.'s failure to inform Chapel Hill customers of their option to spread payment of installation charges over a three-month period, and study the installation charges themselves as well.

In a letter to Hugh Wells, executive director of the Public Staff of the utilities commission, Cohen requested that Southern Bell be ordered to bill all installation charges over a three-month period for Chapel Hill customers until installation forms are corrected to include information about spreading payments over a period of time.

Cohen also requested that the utilities commission investigate Bell's request to raise its installation charge from \$20 to almost \$50.

Southern Bell policy allows customers to spread out installation payments over a three-month period.

According to Cohen, Southern Bell Manager Mike Carson assured him earlier this year that the form used to obtain telephone service by students would include information about the students' option of paying the \$20 installation charge over a three-month period. The forms did not include the information, and Cohen said Saturday that he was "upset that Bell broke its promise."

Carson said Sunday that the information was left out of the installation forms by accident. "We had intended to include this in the installation forms, but it was left out unintentionally," he said.

"We were not going to include it because of Mr. Cohen's request, but because we felt it ought to be included."

Carson said Southern Bell is now trying to correct the mistake. He has contacted the UNC housing office to investigate the possibility of distributing door-to-door information about the possibility of spreading payments. Southern Bell has bought advertising space in local newspapers, informing readers of this option.

Carson also cited temporary employees

getting notices saying their phone is going to be disconnected. They'd better make it pretty clear what they're going to do. I want them to adjust their computers to bill only one-third of the cost each month."

Cohen will ask the Chapel Hill Board of Aldermen to file an intervention in Southern Bell's request for a rate hike.

"My personal opinion is, that if a new phone is installed in a new house, it may very well cost the \$70.00," Cohen said. "Our argument is that \$20.00 to cut on a phone may be the cost in a small town with only a few hundred yearly orders to cut on a phone. But in a case like Chapel Hill, I just can't believe that."

"If they bill people the full amount, and then say it's okay to just send part of the charge, then I don't want to see anyone



Photo by Martha Stevens

Chapel Hill Alderman Gerry Cohen has protested to the N.C. Utilities Commission that Southern Bell violated one of its own policies by not informing subscribers they can pay installation fees in three monthly payments.

UNC not in danger of losing all \$100 million aid

By DAVID STACKS
Staff Writer

The 16-campus UNC system is not in danger of losing all of its \$100 million annual federal aid package if the U.S. Department of Health, Education and Welfare (HEW) does not approve the University's latest desegregation plan, John Sanders, UNC vice president for planning, said Sunday.

"The fund cut-off applies only to those specific programs found not in compliance," Sanders said.

HEW would cut all \$100 million only if every federally funded University program were declared not in compliance with federal desegregation rules, he said.

"It's not a case of all the funds being lost even if they find non-compliance," Sanders said. "It's not an all-or-nothing situation."

The UNC Board of Governors last week approved a revised plan for desegregating the 16 schools. The new UNC plan calls for increasing black enrollment at the 11 predominantly white schools by 32 per cent. HEW had ordered University officials to increase black enrollment by 150 per cent.

But even if HEW officials say the new UNC plan violates federal guidelines, Sanders said he believes it will be several years before HEW's Office of Civil Rights will succeed in cutting federal aid to UNC.

He said such instances require a hearing before an HEW examiner. The HEW secretary would then review the matter. After the HEW review, funds could only be axed after a Congressional committee approves the cut.

If the matter gets to Congress, Sanders said, UNC would probably

appeal the HEW decision to the courts.

"I think it's at least a couple of years away as to particular programs," Sanders said. "And even then, we're not talking about all of the \$100 million."

Sanders said HEW officials could take another route and turn the matter over to the U.S. Department of Justice, where the attorney general's staff would file suit to have funds for UNC stopped.

'Yack' promised in November

When Yackety Yack Editor George Bacso read in the *Daily Tar Heel* last week that the 1976-77 yearbook he is editing would arrive in time for distribution by Christmas, he was a little upset.

The 1976-77 Yack will indeed be out by Christmas, but it will be out at least a month before the holiday season, Bacso explained, despite more pages, more copy and more color than contained in last year's Yack, which arrived in early November.

Production is running as scheduled, Bacso said Friday. Most of the 672-page book is already at Hunter Publishing Co. in Winston-Salem, ready for printing. Bacso himself is working on the one unfinished section here in Chapel Hill.

The book should arrive for distribution by the first week in November, Bacso said. But because of its size, he said, "The possibility that it could be delivered a week later is greater."

"The Yack could be here by mid-October, but it would be a sloppy job," Bacso said. "The decision was made long ago that the Yack will come out when it is done right, and merely having the book here sooner is not more important than having it done well."

Each Yack editor tends to think his yearbook will be the best ever, and Bacso is no exception. But he supports his bragging with impressive statistics.

The 1976-77 Yack staff, for example, sold more pages to campus organizations than ever before. More students — 5,300 as

compared to 4,300 last year — bought Yack subscriptions this year. More students had their pictures made for the portrait section than last year, and response to letters seeking patrons for the yearbook was also higher than usual.

And all that, Bacso said, means more money to spend on a bigger and better Yackety Yack.

The organizations and portraits sections of the 1976-77 Yack account for about half of the 200-plus extra pages, but the opening and closing sections of the Yack — candid and coverage of campus events — will also be larger, Bacso said.

"Instead of a book dominated by the organizations — fraternities and sororities, dorms and the like — you have the same emphasis on these sections as being important, but you also have a much greater emphasis on sections of just students, people interacting in and around Chapel Hill," he explained.

Expanded coverage of campus events in the 1976-77 Yack includes the Black Student Movement's protest of University Day, the Association for Women Students' protest of Sam Ervin's visit to UNC in April and the Campus Governing Council's budget hearings.

In addition, Bacso said, sports coverage was extended to include coverage of activity in the stands during football games and celebrations on Franklin Street after the Tar Heels won important NCAA basketball games.

—LAURA SCISM

Help wanted

The *Daily Tar Heel* needs staff writers and copy editors.

Students interested in writing news or features should attend a meeting at 3:30 p.m. Wednesday in the North Lounge of the Carolina Union, right outside the DTH office.

Anyone who is unable to attend the meeting should see one of the news or features editors in the DTH office before 3:30 p.m. any day this week.

Potential copy editors should talk to Ben Cornelius, managing editor, at the DTH office as soon as possible.