

Water

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municipality is presently at a standstill, waiting to determine if the use of groundwater proves to be a viable alternative to tapping Drowning Creek and Little River basin.

Although town officials frown at the thought of additional government controls, even from the state level, Mrs. McDonald is quick to admit that they are not sure whether the result would be altogether bad.

Mrs. McDonald indicated that only one other area in North Carolina has been designated as a Capacity Use Area.

With a hint of irony in her voice, Mrs. McDonald noted one possible advantage to such new State controls: "If we are required to get a permit and anyone has an argument over water usage, their argument will be with the State, not us."

Opposition to the withdrawal of water from Drowning Creek has previously been expressed by groups in Moore and at least two neighboring counties, Hoke and Scotland.

Much opposition is centered on the environmental question. Drowning Creek originates below Samarkand and joins the Lumber River in Robeson County, and there is interest in having the Lumber River declared a part of the State Wild and Scenic River System.

In 1977 Moore County voters turned down a county-wide water bond issue, an action which indicated a diversity of thought on the subject in all sections of the county.

The summer of 1977 brought drought and a water crisis during the hottest season in modern history. Southern Pines residents were required to reduce water consumption drastically, and it hurt. The town turned to neighboring Carthage, where water was purchased on an emergency basis.

Although the crisis has not been repeated, Southern Pines continues to contract for water from Carthage and pays a minimum fee on a regular basis. At present Southern Pines water resources include the lake reservoir, three wells and the surface source. The town water plant has a capacity to pump two million gallons a day, but Mrs. McDonald points out that in order to produce this much water, the plant must operate continuously.

"This is an interim measure, good for no more than three or four years. The town has to make a decision which way to go and get it implemented as soon as possible," the town manager

Groundwater

Up to this point Southern Pines has not seriously considered the use of groundwater because there has been the understanding that ground water would be an inadequate water source if the entire area continues to grow as expected.

At any rate, the State appears more optimistic about use of groundwater, and a survey of groundwater is being undertaken, to be completed this year.

If sufficient groundwater is available, it is considered a less expensive alternative, provided all cost factors are good. Mrs. McDonald said a cost study must be made, including land acquisition, among other factors.

A conservative estimate of water usage by Southern Pines puts the daily average between a low of 1.5 million gallons and 1.8 million gallons, peaking at 2 million. The increase in consumption is now necessarily industrial or commercial development, but largely represents just normal growth as more and more people find this a good community to settle in, according to Mrs. McDonald.

The State's Capacity Use Study, completed this month, shows that "water quality in Drowning Creek is suitable as a source of raw water for a public water supply as determined from a water quality sampling program conducted during January and February, 1978."

In closing, the State recommends establishment of a Capacity Use Area and "that regulations governing water use be drafted promptly for consideration by the Commission." The boundaries would be a line beginning at the intersection of Drowning Creek and the county lines of Moore, Hoke, Scotland and Richmond, and proceeding in a southwest direction along Richmond-Scotland County line to Secondary Road 1601, then following several secondary roads, to the intersection of Cranes Creek and as far as the Harnett-Moore County line.

The EMC study says a Capacity Use Area designation depends on how the proposed withdrawals affect the assimilative capacity in Drowning Creek below Aberdeen Creek and ultimately the effluent limitations placed on the Aberdeen Creek regional wastewater treatment plant, the water supply in Drowning Creek, and the groundwater resources in the area.

"Based on our study, we believe the use of the water in this area will require coordination and limited regulation for protection of the public interest," the EMC study recommends. "The aggregate uses of water in this area have threatened to develop to a degree which requires coordination and regulation."



Forrest Lockey Jr.

Court Term

(Continued From Front Page)

Graham, who died of pistol wounds. In a recent district court session no probable cause was found to hold the woman for grand jury action on the murder charge, and the case was dismissed.

Docketed for trial Monday is the case of Bob Ranford Collins, whose murder charge stems from a Nov. 12 shooting of 17-year old Jimmy Ray Biby at a trailer park near Robbins. Collins, 36, whose home is at Robbins, Rt. 2, is in the county jail and has not been allowed bond. Biby, whose home was at Carthage, Rt. 3, was shot twice with a .22 calibre semi-automatic rifle.

In addition to the Morrison case, the superior court calendar contains two other notices of bills of indictment issued Jan. 9 but not returned. These are Winston C. Holder, charged with assault with intent to kill inflicting serious injury, and David Floyd Brown, charged with possession of marijuana with intent to distribute. Orders of arrest were also issued.

As prepared in advance, the calendar lists no new felony cases to go before the grand jury for possible bills of indictment. The docket does contain 45 cases for trial plus a compliance docket with 28 cases and 20 cases for orders of arrest and bond forfeitures.

Jurors Called

Called for jury service next week are: Frank Eurnej Altman, Carthage, Rt. 2; Wesley Eugene Barber, Carthage; Nellie Bean, Seagrove, Rt. 2; Barbara Black, West End, Rt. 1; Louise Braum, Whispering Pines, Arthur W. Bryan, Southern Pines; Suzanne Cagle, Cameron, Rt. 1; Margaret Mills Cameron, Southern Pines; Carlton Caviness, Robbins, Rt. 1; James J. Dunn, Southern Pines; Lorraine Fields, Carthage, Star Rt. 4; Robert Fields, Pinehurst; Robert F. Fields, Pinehurst; Michael M. Fiskin, Southern Pines; John W. Frye, Aberdeen, Rt. 1; Althea Gaddy, Pinehurst; Clinton Green, Southern Pines; C.M. Hardy, Cameron, Rt. 1.

Also called as jurors are: Thomas F. Hefflin, Aberdeen, Rt. 1; Robert L. Hubbard (Sr.), Carthage; Carolyn Hussey, Robbins, Rt. 1; Ruth Kidd, High Falls; Sherrill L. Lee, Aberdeen, Rt. 1; Elliott Lewis, Aberdeen; James Edward Lucas, Jr., Robbins, Rt. 1; Luna Mashburn, Southern Pines; Thelma Melvin, Aberdeen; Ethel Monroe, Eagle Springs, Rt. 1; Mary Mulligan, Southern Pines; Louise McCrimmon, Cameron, Rt. 1; Duncan Neill McIntosh, Pinehurst; Frederick McKenzie, Lakeview; Jessie McNeill, Southern Pines; Ruth Fiarman Nichols, Whispering Pines; Jonice Carol Peele, Southern Pines; Ronnie Milton Person, Eagle Springs, Rt. 1; Mrs. J.B. Hussey, Robbins, Rt. 2.

Others called as jurors are: John Morris Pincomb, Southern Pines; Horace G. Porter, Southern Pines; Nancy Bridgers Rawlinson, Southern Pines; Inez Reynolds, Robbins, Rt. 2; Margaret Ann Ritter, Pinehurst; Dorothy Hill Rogers, Southern Pines; Albert Anthony Sanchez, Carthage, Rt. 3; Debra Louise Sanchez, Jackson Springs; Pete N. Simmons, Robbins, Rt. 2; James Hurley Smith, Carthage; Ann Wilkinson Spong, West End; Mary Magdalene Stewart, Aberdeen; Karl Dane Stuart, Southern Pines; Walter E. Teal, McCain; Yvette Marie Thomas, Vass; Georgia B. Valk, Robbins,



John A. McPhaul

Scout Awards

(Continued From Front Page)

the rank of Eagle Scout and has been an adult volunteer for 10 years. He has been both an assistant cubmaster and an assistant scoutmaster as well as having a hand in the district's scout training program. Lockey is a manager with North Carolina Natural Gas and a member of Page Memorial Methodist Church.

The Silver Beaver Award is presented to individuals who, through their actions and dedication, demonstrate outstanding service to youth and community.

Other Occoneechee Council recipients were James W. Brown Jr. and Clyde C. Thompson Jr. of Durham; Marvin O. Marshall of Dunn; William W. Lawrence of Sanford; John W. Stone, Ralph F. Schmoeger, Dr. Frank B. Day, Mrs. Anne Fetner, Fred A. Greger and Ralph S. Webb Jr. of Raleigh; and Donald W. Gillmer and Carl H. Riley of Fayetteville.

WANT ADS FOR SURE-FIRE MARKET MAGNETISM

Sale Halted

A temporary restraining order has been issued enjoining W. Harry Fullenwider, trustee, and GMR Properties from proceeding with foreclosure against Lake Surf Inc. and Whispering Pines Inc.

Judge John McConnell signed the restraining order at 8:10 a.m. yesterday and also scheduled a "show cause" hearing on the matter at 10 a.m. Monday, Jan. 29, when Moore County Superior Court convenes at the courthouse in Carthage.

In their lengthy complaint the two corporations charge that the defendants, Fullenwider and GMR Properties, have breached the agreement made Dec. 1 concerning the disposition of two particular pieces of property: the South Golf Course and the South Club House of the Whispering Pines Development. The matter is further muddled by the fact that a high \$800,000 bid for the first piece of Lake Surf property by GMR Properties has since been upset, and the foreclosure sale must be advertised for resale. The upset bid of \$840,050 was offered by Jimmy Love and filed with the clerk of superior court on Jan. 15.

-LEGAL NOTICE- NORTH CAROLINA MOORE COUNTY

The undersigned, Sadie D. Brewer, having qualified on January 19, 1979, as Personal Representative of the Estate of Robert Evander Brewer, deceased, this is to notify all persons, firms or corporations, having claims against said estate

Court Order

A default action has been implemented ordering Tim Katsos to vacate the building known as Tim's Cafe in Carthage on or before Feb. 3. The action signed by Charles M. McLeod, Moore County clerk of superior court, was filed Jan. 16.

Notice of appeal to superior court has been given on behalf of Katsos by his attorney, H.F. Seawell Jr.

PILOT ADVERTISING PAYS

-LEGAL NOTICE- NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE OF THE TOWN OF SOUTHERN PINES

Pursuant to the requirements of the General Statutes of North Carolina, Chapter 160A-385, and by order of the Town Council of the Town of Southern Pines, notice is hereby given that a public hearing will be held in the Council Chambers of the Municipal Building on Tuesday, February 13, 1979 at 8:00 p.m. for the purpose of discussing and considering the adoption of proposed amendments to the Southern Pines Zoning Ordinance.

The sections of the Zoning Ordinance under consideration for amendment are as follows: a. Amend Section 9.6 entitled LB, Local Business District to include as a permitted use the following:

Offices and storage warehouses for building, plumbing, heating, air-conditioning and electrical contractors. All exterior storage shall be located in a rear or side yard area and shall be screened from view of a public street and any residentially zoned or developed lot by a six (6) foot high solid fence or wall.

b. Amend Section 9.9 entitled HC, Highway Commercial District to include as a permitted use the following:

Retailing establishments, selling food, beverages, drugs, dry goods, notions, household goods and furniture, sporting goods, and hardware. All exterior storage shall be located in a rear or side yard area and shall be screened from view of a public street and any residentially zoned or developed lot by a six (6) foot high solid fence or wall.

c. Amend Section 9.9 entitled HC, Highway Commercial District by reducing the "minimum required lot area" from 40,000 sq. ft. to 20,000 sq. ft.

d. Amend Section 6.5 entitled Minimum Parking Requirements by deleting the following:

Land uses: Retail use not otherwise listed. Required Parking: One (1) parking space for each one hundred (100) square feet of gross floor area.

Office: One (1) parking space for each two hundred (200) square feet of gross floor space.

and adding the following:

Land Uses: Retail use not otherwise listed. Required Parking: One (1) parking space for each two hundred (200) square feet of display and sales area.

Furniture stores: One (1) parking space for each five hundred (500) square feet of gross floor area.

Offices: One (1) parking space for each three hundred (300) square feet of gross floor area.

All interested citizens are invited to attend this hearing and be heard. At the public hearing, substantial changes may be in the advertised proposal which reflect objections, debate and discussion at the hearing.

In case of a protest against the adoption of the proposed amendment to the Zoning Ordinance by the owners of twenty percent (20%) or more either of the area of the lots or lands affected by the proposed changes, or of those immediately adjacent thereto either in the rear or on either side thereof, extending one hundred (100) feet therefrom or of those directly opposite thereto extending one hundred (100) feet from the street frontage of those opposite lots, the ordinance shall not become effective except by favorable vote of three-fourths (3/4) of all members of the Town Council. Such protest against any change in or addition to the Town Zoning Ordinance not be valid or effective for the purpose of complying with the above requirement unless it be in the form of a written petition actually bearing the signatures of the requisite number of property owners and stating that the signers do protest adoption of the amendment, and unless it shall be received by the Town Clerk in sufficient time to allow at least two normal workdays, excluding Saturdays, Sundays and legal holidays, before the date established for the public hearing on the proposed change to determine the sufficiency and accuracy of the petition.

Stephen K. Straus, Town Clerk 1:24,31c

to present them to the undersigned at Post Office Box 1271, Pinehurst, North Carolina 28374, on or before the 25th day of July, 1979, or this notice will be pleaded in bar of their recovery. All persons, firms or corporations indebted to said estate will please make immediate payment to the undersigned.

This 23rd day of January, 1979. Sadie D. Brewer, Personal Representative Estate of Robert Evander Brewer, Deceased Post Office Box 1271 Pinehurst, North Carolina 28374 1:24, 31, 2, 7, 14c

-LEGAL NOTICE- NORTH CAROLINA MOORE COUNTY

The undersigned, Theron B. Thomas, Jr., having qualified on January 18, 1979, as Personal Representative of the Estate of Theron B. Thomas, Sr., deceased, this is to notify all persons, firms or corporations, having claims against said estate to present them to the undersigned at Post Office Box 413, Pinebluff, North Carolina 28373, on or before the 25th day of July, 1979, or this notice will be pleaded in bar of their recovery. All persons, firms or corporations indebted to said estate will please make immediate payment to the undersigned.

This 22nd day of January, 1979. Theron B. Thomas, Jr. Personal Representative, Estate of Theron B. Thomas, Sr., Deceased Post Office Box 413 Pinebluff, North Carolina 28373 1:24, 31, 2, 7, 14c

-LEGAL NOTICE- NOTICE OF PUBLIC HEARING BEFORE THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES

Notice is hereby given that a public hearing will be held before the Town Council of the Town of Southern Pines in the Council Chambers of the Municipal Building on Tuesday, February 13, 1979 at 8 p.m. All interested citizens may be heard with respect to the proposed conditional use described as follows:

CU-2-79 Termi-nex Co.- Stephens Street between Morganton Road and Lowe Avenue

The property in question is located on Stephens Street between Morganton Road and Lowe Avenue. It is known as part of lot number 4, block number 1, of Moore County Tax Map 21-McNeill Township In. It has a frontage on Stephens Street of 1,190 feet and an approximate depth of 515 feet.

The applicant is requesting a conditional use permit to allow the placement of a radio antenna and associated equipment on the Town of Southern Pines' water tower.

Stephen K. Straus, Town Clerk 1:24,31c

-LEGAL NOTICE- NOTICE OF PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE ZONING MAP OF THE TOWN OF SOUTHERN PINES

Pursuant to the requirements of the General Statutes of North Carolina, Chapter 160A-385 and 386, and by order of the Town Council of the Town of Southern Pines, notice is hereby given that a public hearing will be held in the Council Chambers of the Municipal Building on Tuesday, February 13, 1979 at 8 p.m. for the purpose of discussing and considering a proposed amendment to the Southern Pines Zoning Map.

The request under consideration are as follows: Z-1-79 SOUTHERN PINES COUNTRY CLUB-SOUTHWEST CORNER OF HILL ROAD AND BETHESDA ROAD.

The property is located on the southwest corner of Hill Road and Bethesda Road. It is known as part of lot number 1, block number 1, of Moore County Tax Map 47-Sandhills Township. It has a frontage of 1,320 feet on Hill Road, a frontage of 690 feet on Bethesda Road, and a frontage of 665 feet on Fort Bragg Road, containing approximately 28.05 acres. The present zoning classification is RA-Residential Agricultural. The proposed zoning classification is RS-2 Residential Single-Family. Z-2-79 TOWN OF SOUTHERN PINES-MORGANTON ROAD BETWEEN STEPHENS STREET AND LOWE AVENUE. The property is located on Morganton Road between Mechanic Street and Stephens Street. It is known as lot number 4, block number 1, of Moore County Tax Map 21-McNeill Township In, and lot number 3 block number 4, of Moore County Tax Map 24-McNeill Township In. The property has a frontage on Morganton Road of 487 feet and an approximate depth of

1,110 feet, consisting of 28.14 acres. The present zoning classification is RS-1 Residential Single-Family. The proposed zoning classification is RA-Residential Agricultural.

All interested citizens are invited to attend this meeting and be heard.

In case of a protest against the adoption of the proposed amendment to the Zoning Map by the owners of twenty percent (20 percent) or more either of the area of the lots or lands affected by the proposed changes, or of those immediately adjacent thereto either in the rear or on either side thereof, extending one hundred (100) feet therefrom or of those directly opposite thereto extending one hundred (100) feet from the street frontage of those opposite lots, the ordinance shall not become effective except by favorable vote of three-fourths (3/4) of all the members of the Town Council. Such protest against any change in or addition to the Town Zoning Map shall not be valid or effective for the purpose of complying with the above requirements unless it be in the form of a written petition actually bearing the signatures of the requisite number of property owners and stating that the signers do protest adoption of the amendment, and unless it shall be received by the Town Clerk in sufficient time to allow at least two normal workdays, excluding Saturdays, Sundays and legal holidays, before the date established for the public hearing on the proposed change to determine the sufficiency and accuracy of the petition.

Stephen K. Straus, Town Clerk 1:24,31c

-LEGAL NOTICE- NOTICE OF PUBLIC HEARING BEFORE THE TOWN COUNCIL OF THE TOWN OF SOUTHERN PINES TO CONSIDER CERTAIN CHANGES AND AMENDMENTS TO THE "SUBDIVISION REGULATIONS" OF THE TOWN OF SOUTHERN PINES, NORTH CAROLINA

Notice is hereby given that a public hearing will be held before the Town Council of the Town of Southern Pines at a regular meeting to be held in the Council Chamber of the Municipal Building on Tuesday, February 13, 1979 at 8:00 for the purpose of discussing and considering the adoption of an ordinance amending general requirements of the "Subdivision Regulations" of the Town of Southern Pines.

The section of the "Subdivision Regulations" under consideration for amendment is as follows: a. Amend Section 5.3 entitled "Street Names, Name Signs, Lamps, and Trees" by deleting it in its entirety and substituting a new section to read as follows: SECTION 5.3 STREET NAMES, NAME SIGNS, UNDERGROUND UTILITIES, LIGHTING AND TREES

1. Street Names Proposed streets, which are obviously in alignment with other existing and named streets, shall bear the assigned name of the existing streets. In no case shall the name for proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, et cetera. Names shall be subject to the approval of the Planning Board and the Town Council.

2. Street Name Signs Appropriate street name signs which meet standard Town specifications shall be placed at all street intersections.

3. Electric, Cablevision and Telephone Utilities Electric, cablevision and telephone wires shall be installed underground in all subdivisions except that the Town Council, upon recommendation of the Planning Board, may waive this requirement at the request of the applicant in cases where the Council shall determine

that the installation of underground service will result in practical difficulty or hardship. In making such determination, the Town Council shall take into account the following:

a. The size and nature of the subdivision

b. Unusual topographic or other natural conditions.

c. Type of service existing in the area adjacent to the tract at the time of application for waiver.

The Town Council may grant a full or partial waiver of this requirement, and in approving such waiver shall alternatively require the installation of electrical, cablevision and telephone wires on poles with the street right-of-way or along rear property lines as conditions warrant, or may require a combination of underground and overhead service.

4. Street Lighting

For all subdivisions having underground electric service, Carolina Power Underground Street Lighting Service Schedule SLUC-3 (Customer Participation) shall be adopted by the subdivider. Lighting units and poles shall be in accordance with Carolina Power & Light Company's filed tariffs, plans and requirements for underground service. Lighting poles and units shall be placed at each intersection and at such block spacing as may be required by the Planning Board. If the subdivision is located within the Town limits, the Town will pay the monthly electric rate for street lights installed at all intersections as well as other locations approved by the Town Manager.

5. Street Trees

The subdivider is encouraged to plant trees and/or protect existing trees. As part of the review of the preliminary and final plat and shown on the plat, the developer shall indicate his plans for the protection of existing trees on the property and/or the planting of new trees.

b. Amend Section 5.6 entitled "Easements" by deleting Subsection 3 in its entirety.

All interested citizens are invited to attend this hearing and be heard. At the public hearing, substantial changes may be in the advertised proposal which reflect objections, debate and discussion at the hearing.

Stephen K. Straus, Town Clerk 1:24, 31c

WEDDING? GRADUATIONS? ANY FORMAL EVENT? We Rent Handsome Formals Storey's Town & Country Shopping Center

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Danny Cheek says... Come by or call me for your transportation needs. Pines Motors 15-501 - Aberdeen Phone 692-8211

A Very Sincere Word Of Appreciation is extended to everyone who worked, supported, and gave freely to help us successfully defeat the beer & wine referendum in Vass on Tuesday, January 23. The Committee Of Concerned Citizens