

# Duplin Times

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1984 James Kenan High School Tigers Varsity Football Team.

## Contempt Charge Against Rose Hill Man Dropped

Contempt of court charges against Rose Hill developer Marlo Bostic and three co-defendants were dismissed last week in Onslow County Superior Court.

Superior Court Judge Herbert O. Phillips granted a defense motion to dismiss the charges against Bostic, Garland E. Yopp and Frank H. Lanier and his construction company, Frank H. Lanier Inc.

The charges stemmed from construction of two buildings near New River Inlet Pier.

Allen Brown, representing Onslow County, contended that the defendants received notice of a July 6 restraining order and acted in concert to continue construction. Brown also charged that Bostic and Yopp tried to circumvent the order by transferring ownership on July 10.

Much of the testimony concerned cease-and-desist orders federal and state agencies had issued on the basis that the builders did not have the required permits.

In dismissing the charges, Phillips noted that a temporary restraining order relating to a county building permit was a "different" kind of document from a cease-and-desist order issued by a government agency.

He said he had seen ample evidence regarding the delivery of cease-and-desist orders, but that did not constitute evidence of willful criminal violation of the temporary restraining order.

In addition, he said, proof had not been shown beyond a reasonable doubt that a design and purpose lay behind the transfer of the pier's title from Bostic to Yopp.

George W. Wright of the Army Corps of Engineers testified that he had issued nine cease-and-desist orders against Bostic for various projects since January 1976.

"We have never issued Marlo Bostic a permit except for an after-the-fact permit," he said.

Representatives of the N.C. Office of Coastal Management testified that that agency had served Bostic with 11 cease-and-desist orders since 1981.

Onslow County Building Inspector Marshall Batchelor testified that he issued a permit to Bostic May 25 for repair of the pier for the purpose of installing an ice machine. Batchelor said he was at West Onslow Beach after the permit was issued and observed building that was "way out of proportion" with the permit.

On June 27, he said, he issued a stop-work order and hand-delivered it to Yopp, who was the pier manager.

He said the construction continued, however, and Bostic called him a couple of days later and told him the "discrepancies" would be corrected. "He's never spoken to me since," Batchelor said.

Batchelor said he visited the pier on July 9, 10, 12 and 13 and saw construction going on. He said he talked with Lanier, the contractor, about the stop-work order and Lanier said he "knew something but didn't know what" it was about.

## Duplin County Invests In 30-Day Notes

The investment of \$1 million in 30-day notes at 11.4 percent interest will net Duplin County \$9,500 in the next month.

County Finance Officer Russell Tucker informed the county commissioners last week that he had invested \$1 million of county funds in 30-day notes with Branch Banking & Trust Co. of Wallace.

Tucker said he had been advised to invest in the short-term notes instead of nine-month certificates because interest rates are expected to increase, possibly to 15 percent by the end of the year.

Tucker also said the county might need some of the money in less than nine months. The longer-term certificates usually pay higher rates of

interest than 30-day notes issued at the same time.

In other business last week, the commissioners reversed their Aug. 6 decision against providing part of the salary for a secretary in the county extension office. By a 3-2 vote, the board agreed to provide \$4,500 a year for half the salary of the secretary. Commissioner Calvin Coolidge Turner switched sides and joined Commissioners W.J. Costin and Dovie Penney in a favorable vote. Commissioners D.J. Fussell and Allen Nethercutt again voted against the salary motion.

The board agreed to permit the county Agribusiness Council and other groups to conduct a study into renovating the former Kenansville

Elementary School as a multi-purpose building.

Merle Creech, a member of the county arts council, said it has requested \$92,800 from the Z. Smith Reynolds Foundation to provide part of the financing for an entrance and staging area in the old building.

Roy Houston, chairman of the Agribusiness Council, said the council could pay for the study, "if the commissioners are inclined to support the project."

Melba Laney, a community development specialist with the N.C. Department of Natural Resources and Community Development, recommended that the building be renovated for county offices. She had no cost estimates. The board will

study the proposals.

She recommended moving the Employment Security Commission into the present N.C. Highway Patrol office when that office is moved into the former Coastal Production Credit Association building. Both offices now are in a building near the E.E. Smith School on the south side of Kenansville.

Her other recommendations included:

- Moving the agricultural extension service, Farmers Home Administration, Agricultural Stabilization and Conservation Service and Soil Conservation Service into the renovated school building to create an agricultural services complex.
- Moving the Social Services Department offices now in the Quinn

Annex on Kenansville's main street to the present ASCS location, near the main social services building.

Remodeling the present extension and FmHA offices into a county administration office unit for the county manager, finance officer, board of commissioners, industrial development commission and arts council.

In other business, the board authorized advertising for a county forest ranger to succeed Dennis Knowles.

It decided not to establish voter registration tables in the social services building and the library because they are close to the county election office in the courthouse, where people can register all year.

## Establish Fraud Unit At Duplin Social Services

Recently the Duplin Social Services Department has successfully brought fraud suits against four individuals and Ponda Byrd, head of the County Social Services fraud unit, said more than 30 other cases are under investigation.

The four court convictions within the past few months are more than Duplin Social Services had handled in 10 years, Byrd pointed out. Restitution ordered in the cases totaled \$5,112.

"Until the fraud unit was established within the past year, fraud cases went uninvestigated," Duplin Social Services Fraud Unit Coordinator Ponda Byrd said. "Social

Service workers cannot handle their regular cases and investigate fraud too; they just do not have the time."

Most fraud cases involve individuals receiving funds under one or more social service programs who fail to report income or another wage-earning person living in the household. Monies received from social service overpayments due to willful failure to report income or wage-earners within the household is fraud, Byrd pointed out. If the overpayment totals \$400 or more, the offense becomes a felony and may include a jail sentence as well as restitution, temporary or permanent disqualification from Social Service

programs, and a fine.

"The unit is trying to publicize what we are doing in hopes of discouraging some fraud attempts," Ponda Byrd said. "The unit relies heavily on calls from the general public giving us tips on potential fraud cases. But, a lot of leads come from our computer that is connected with the Employment Security Commission network which reports any income earned. Workers in our office can run a wage match and if income information reported at the department does not match the Employment Security print-out, the case is referred to the fraud unit."

Not all fraud cases reach the court

system, Byrd said. Cases involving overpayment can often be settled at the social services office by working out a schedule of restitution payments. And, Byrd added, not all overpayments are intentional fraud.

"Each time an individual comes to the Social Services office, their rights are explained to them," Byrd said. "And, most of the time fraud is deliberate, because 'fraud' is explained in detail during each visit. But, there are times when a misunderstanding leads to overpayments." Intentional fraud or overpayments due to misunderstandings must be repaid.

The most recent of the four fraud convictions carried a sentence of

\$3,400 in restitution, a three-month active prison sentence and temporary suspension from Social Service programs. According to Byrd, the case involved two years' of deliberate fraud resulting in an overpayment of approximately \$180 per month. And, like most cases, the fraud was due to an unreported wage-earner in the household.

"We hope the progress the fraud unit has made in Duplin County will serve as a reminder that the department is investigating potential fraud situations that are brought to our attention," Byrd said. "We don't expect fraud to stop, but the department does expect to reduce the total number of cases."

## Duplin Arts Council Gears Up For County Fair

The kind of things found at a yard sale are just the items Duplin County Arts Council Director Merle Creech needs for the "It Must Be Magic" exhibition at the Duplin Agribusiness Fair in Kenansville, October 1-6.

"Wigs, hats, costumes, fabric, large cardboard boxes, old display structures, easels, lace and styrofoam are my wish-book now," Merle Creech, director of the Duplin Arts Council, said. "I don't have any artists scheduled in September; the whole month is open to work on the fair exhibit."

The It Must Be Magic exhibit is planned for the third floor of the old Kenansville elementary school. The same space was used last year at the fair for a similar exhibition which brought statewide recognition to the county arts council. The exhibition will be open nightly from 5-9 p.m. during county fair week.

Even with a month scheduled to construct the exhibit, Merle said volunteers are needed to meet the fair opening deadline. Work on the exhibition has begun and volunteers are needed to cut banners, assemble the maze, cut cardboard designs, and make signs. Painting is another area in which the exhibition needs volunteers. According to Merle, more than 70 flats will be used in the exhibition and need a cover coat of paint and later artists will paint a variety of scenes on the flats.

The It Must Be Magic exhibit begins with a maze room which will be constructed from some of the flats. Leaving the maze, the exhibit continues with the Imagine Me Giraffish room. The section will consist of flats painted as different people and animals. And, holes will be left, instead of heads, for visitors

at the fair to look through and imagine themselves as the animal or person painted on the flat. Next, along the exhibit route, is a room of mirrors. Past the mirror room is expected to be a wind tunnel. The next room is to be called "center stage." Along the walls of center stage will be flats painted with different scenes and in the middle of the room will be costumes, wigs and stage make-up. Leaving center

stage, the exhibit continues with a room in which visitors can try painting one of the gremlins or make a mask. The mole hole, a giant crawl-through maze, is next. Crawling out of the maze brings visitors to the room for backyard artists to try different types of art activities. And the final section of the exhibit is movie fantasy. The final fantasy brings to life movie stars of the past and some of the present day actors

and the classic films of all times, Merle said.

A "maybe," Merle said, might include a visit from the Ocracoke school science classes. Accompanying the students will be a saltwater touch table and aquariums for exhibition at the fair. Other activities include workshops and performances by a juggler and breakdancers.

Included in the walk-through exhibit will be art work by students

from Duplin County schools. Students in grades kindergarten through third have been asked to submit art in the fantasy category; grades four through eight, adventure; and grades nine through 12, reality.

Volunteers willing to assist in the construction of the It Must Be Magic exhibit should contact the Duplin County Arts Council in Kenansville at 296-1922.



1984 North Duplin High School Rebels Football Team.