

# UOB Questions Commissioners' Stance On Utilities Director

BY SUSAN USHER

Several members of the Brunswick County Utility Operations Board are asking why an ad for a public utilities director is written in such a way that their candidate for the job doesn't qualify.

That is one of several sore points UOB members were expected to take up Wednesday, Sept. 23, at 7 p.m. in a joint meeting with county commissioners.

Requested by UOB Chairman Robert Nubel, the meeting is to discuss "basic relationships and means of operation of the UOB," which was formed more than a year

ago to help formulate water policies and procedures.

According to approved minutes of the advisory board's Sept. 14 meeting, Ed Gore told fellow UOB members the panel needed "to express itself very strongly and very quickly to the Board of Commissioners that the ad is not for the type of person they need as their director, and that most emphatically they want Mr. (John) Harvey to continue in that position, on a permanent basis as had been the understanding and agreement all along."

Harvey, county planning director, was assigned as "administrative

staff" to the UOB in January by the county commissioners on recommendation of the UOB. At that same time commissioners authorized the board to seek a consulting engineer and an attorney to help with its heavy workload.

At the Sept. 14 meeting Gore said the job description was for a water system superintendent such as the county already has in O. Kenneth Bellamy, not a director of public utilities.

The newly-created post calls for a person to perform engineering and administrative work in directing the operation of the water treatment plants and the construction and

maintenance of water lines and facilities under limited supervision of the county manager.

Gore said that until the ad appeared in papers across the state, he had understood Harvey would get the job even though Carter had recommended an engineer fill it.

However, Commissioner Frankie Rabon, a non-voting member of the UOB, reminded Gore the county commissioners had been discussing for months the possible "separate filling" of such a position.

For a suitably qualified person, the Grade 31 "Director of Public Utilities" job could pay from \$34,676, to \$50,250. That's what the county had

listed in July as suitable pay for a staff engineer. It's more money than the county's new manager currently earns, but less than the \$40,240 to \$58,232 salary range listed for a Grade 34 post of "Director of Utilities Operations" included in a July 1 revision of the county's pay and classification plan.

The job ad, Rabon said, was prepared by two staff members based on their interpretation of the wishes of the commissioners as expressed during several executive sessions.

Gore said the UOB was aware that former county manager Billy Carter,

in his capacity as budget advisor, had recommended a separate person. However, he added that the UOB had stressed it wanted Harvey for the job, even if it meant his giving up his current position as planning director.

As written, however, Harvey does not qualify for the job, which requires that the director be a licensed water treatment plant operator with experience in operation of a water plant in a supervisory position.

The director must also have graduated from a four-year school with a degree in environmental technology, engineering, or related field, or an equivalent combination of experience and training.

## Contract Let For Grading Shallotte Bypass Segment

A Beckley, W.Va., is the apparent low bidder for the contract to clear and grade the first segment of the U.S. 17 Shallotte bypass.

The contract will be the first let on the four-laning of U.S. 17 between Bell Swamp (north of Bolivia) and the South Carolina line.

Veccello and Grogan Inc. bid \$1.5 million, approximately \$600,000 less than the highest of the seven bids opened Sept. 15 in Raleigh by the N.C. Department of Transportation. The bid is 20.5 percent below DOT's engineering estimate, according to DOT Bill Jones, who added, "That's good."

The contract is for the south end of the bypass, 2.3 miles from its southern terminus near Old Shallotte Road to Mulberry Road, the state-owned extension of Shallotte's Mulberry Street.

Also bidding on the project were Dickerson Carolina Inc., Monroe, \$1.7 million; C.M. Lindsey and Sons Inc., Rowland, \$1.82 million; Propst Construction Co. Inc., Concord, \$1.84 million; Johnny C. Johnson Inc., Mt. Airy, \$1.88 million; W.E. Blackmon Construction Co., Smithfield, \$1.89 million; and B.M.C.O. Construction Inc., Lumberton, \$2.1 million.

The N.C. Board of Transportation is expected to award the contract at its Oct. 9 meeting.

Cameron Lee, an assistant administrator with the N.C. Department of Transportation, said last month that clearing and grading could begin around Nov. 1.

Bids for the remaining 2.5 miles of the bypass won't be opened until June 1988. Paving isn't due to begin until 1990.

## Utilities Operation Board Bucks Proposed Policy

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Commissioners had met earlier that day; the meeting included a lengthy closed-door session. However, during the public portion of the meeting, commissioners did not discuss the Lockwood Folly project.

The open meetings law requires that policy matters be discussed in open session.

Copies of the commissioners' draft policy were distributed to UOB members at Friday's meeting. Harvey told members that commissioners wanted the UOB to comment on it.

The sections of the draft policy specifically discussed by the UOB Friday dealt with the possibility of the county, in effect, fully funding the Lockwood Folly water project.

The proposal drafted by commissioners stated: "The Utility Operations Board may certify the trunk or transmission line portion of the

developer's project as an enhancement of the entire Brunswick County Water System and recommend to the Brunswick County Board of Commissioners that the County of Brunswick participate in up to one-half of the total cost of that portion of the project, said funds to be appropriated from monies designated for water line construction projects."

The draft also provided that "the developer shall receive water connections to lots or parcels within the developer's subdivision or residential development at no cost to the developer until such time as the cost of the water services connection so provided equals the total sum of the developer's portion of the water line project subject to this policy."

At Friday's meeting, UOB Chairman Robert Nubel said he felt the board should again recommend to commissioners that the Lockwood Folly project be handled in accordance with the county's Special

Assessment District (SAD) policy.

"I think the original policy concerning special assessment districts was the correct way to go," Nubel said.

He pointed out that the commissioners' proposal contained no guidelines to determine a cost/benefit ratio, and that revolving funds for other water projects would be depleted by deviating from the SAD policy.

UOB member Edward Gore called the commissioners' proposal a "white-washing."

Gore said he was concerned that county taxpayers would bear the entire cost of the water project, and that property owner along the 1.6 mile trunk line to Lockwood Folly would not be assessed for the availability of water service in accordance with the county's existing six-inch water main maximum assessment policy. He said 10 to 20 property owners along the line were involved. "The developers don't need this,"

Gore said. "It's a nice gift from all the taxpayers of Brunswick County to excuse those few residents and property owners along this line from the six-inch line assessment and to repay all the monies through free taps within the subdivision of what the developing firm runs in order to excuse those few people along the way."

"That, gentlemen, is not right in any sense of the word when we're going to these other hundred locations to extend water and we're going to be asking for assessments."

But UOB Vice-Chairman Aphonza Roach reminded Gore that commissioners would have the final word on the policy since the UOB is only an advisory board.

"Do you feel like you can get your commissioner to vote for it (to observe standard SAD policy in the Lockwood Folly project)?" Roach asked Gore.

"I don't have any idea," Gore replied.

At their Aug. 20 meeting, county commissioners reached a consensus and Chairman Grace Beasley advised residents along the proposed water lines that the board did not intend to assess the property owners any portion of the lines' cost.

After discussing various policy alternatives, UOB members unanimously agreed that the board's first recommendation to commissioners would be that the developer should pay additional assessments for the property owners along the Lockwood Folly line.

Other alternatives discussed included: suggesting that the developer build his own water system; having the county construct the line and bill the developer for it; observing standard SAD policy; making assessments upon water line hookup by property owners; and having the county pay six-inch line costs and the developer pay additional line costs.

Nubel also suggested that the UOB make commissioners aware of the "ramifications" of deviating from previous policy for Lockwood Folly.

## Two Claim Interests

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Michael Easley said earlier this month that the property could still be seized since it allegedly was used to facilitate drug trafficking.

Hearing of the civil suit is expected to follow the state's criminal action pending against Willis, according to Assistant U.S. Attorney Doug McCullough.

Copies of documents given to tenants setting out the reason for the seizure included case material by an unidentified federal agent regarding Resort Plaza.

The agent notes that informant "S-1" stated to him in 1982 that "Al Willis" (Alvin Bryan Willis III) from Shallotte, North Carolina, was involved in the sale of marijuana and cocaine. "Since that time I have con-

tinued to receive information from other informants and law enforcement officers that Willis is heavily involved in cocaine trafficking."

Further, the document notes, that on September 30, 1986, another informant, "S-2," "furnished me with information that Willis and Hubert (H.L. Holmes) were using the Resort Plaza Shopping Center Office to plan the purchase of cocaine, that Willis utilized a telephone in the office located on the subject real property to make arrangements for this cocaine purchase, and that on the evening of September 30, 1986, Drug Enforcement Administration Agents seized \$22,600 in cash from Willis that was intended for the purchase of the cocaine in Miami, Fla."

## Officials Upset

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blowing away from the site and leaching of toxic metals such as arsenic and selenium into the soil. Chumley has said KBK's operating plan precludes either of these happenings.

County Manager Smith suggested the county monitor two trucks that will make six trips each per day over the 30 miles between Southport to Leland to haul ash from Cogentrix to KBK's site. Otherwise, he said, "if not managed properly they could leave a big mess alongside the road."

**Adopt Policy**  
Following an hour and 45 minute closed door session to discuss personnel, land interest acquisition and attorney-client matters, commissioners approved the concept of "inverse condemnation" as it applies to properties within two special water assessment districts for which the county is unable to obtain voluntary easements for line installations.

The vote was 4-1, with Commissioner Frankie Rabon opposed. Later Rabon said, "I never liked the idea of government being able to condemn someone's property, to do something without the property owner's permission."

Recommended by the Utility Operations Board, the procedure allows the county to proceed with a public improvement that affects an individual's property, leaving it up to the owner to file an action in inverse condemnation against the county seeking damages for the interest that has been taken.

According to Michael Ramos, attorney for the UOB, there are two parties in S.A.D. No. 2 and as many as 20 in S.A.D. No. 3 from whom the

county won't be able to get easements for one reason or another.

### Other Business

In other business, commissioners: \*Received copies of a proposed \$3.58 million water budget, but tabled discussion until County Manager John T. Smith can review the document and make his own recommendations. Until then the county system will continue operating under an interim budget. The budget total, up from \$2.8 million last year, excludes debt retirement for general obligation water bonds, paid for out of the county's general fund, and includes a supplement of \$903,275 from the general fund.

\*Set several meetings: a meeting on Sept. 23 at 6:30 p.m. with Resources Development Executive Director Michael deSherbinin, followed by a joint meeting at 7 p.m. with the Utilities Operation Board; a joint meeting with the planning board on Sept. 28 at 7 p.m. regarding the subdivision ordinance; and a public hearing on subdivision roads on Oct. 8 at 7:30 p.m.

\*Approved spending \$875 in court facility fees for renovations of the District Attorney's office in the courthouse. A snack machine room adjoining the D.A.'s office will be taken in to make room for another prosecutor on the staff and to provide a holding room for witnesses for the Grand Jury, which has a room across the hall from the snack room.

\*Asked for cost estimates for expanding a community building at Maco to be revised to reflect a 12-foot by 50-foot building as requested earlier.

\*Heard from the N.C. Attorney General's office that an elected of-

ficial is entitled to serve on both the Utilities Operation Board and the Brunswick County Planning Board without it constituting dual office holding. A question had arisen earlier about Sunset Beach Councilman Ed Gore serving on the two county boards by appointment of the commissioners.

The state constitution allows an elected official to hold one other appointive office.

Assistant Attorney General James Wallace Jr., based his opinion on the county's description of the planning board's "official" nature as opposed to UOB members being empowered only to make recommendations to the commissioners.

\*Approved tax releases and refunds for the month of August.

\*Unanimously approved a contract with Jerry Lewis & Associates engineering firm of Shallotte for engineering of and resident inspection of construction in special water assessment districts now under development, with the engineering cost not to exceed \$5,000 and with bills to be submitted monthly for payment. The contract can be ended on 90 days' notice by either party.

## Cooler Weather Is Expected

Average daily temperatures were two degrees above normal in the Shallotte area during the period Sept. 15-21, according to Shallotte Point meteorologist Jackson Canady.

Canady recorded an average daily high of 87 degrees and an average daily low of 68 degrees.

The maximum high temperature was 90 degrees on the 18th; the

minimum low was 65 degrees on the 21st.

Rainfall at Shallotte Point during the period measured .11 inch.

Canady said that over the next few days, the area can expect normal temperatures and rainfall.

Daytime highs in the mid 80s are expected along with overnight lows in the mid 60s.

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