

# County Health Officials Say They 'Misinterpreted' Septic Tank Law

BY RAHN ADAMS

The Brunswick County Health Department last month began enforcing a five-year-old state health regulation involving septic systems, after the department was notified that it was misinterpreting the law. The regulation prohibits the construction of septic systems under driveways—a situation that may be difficult to avoid on small lots, say county and town officials.

Brunswick County Environmental Health Supervisor John Crowder said the health department changed its position on the regulation Nov. 18, after the N.C. Division of Health Services clarified its official interpretation of the regulation.

The law reads, in part: "Septic tank systems shall not be located under paved areas or driveways."

However, solid cast iron pipe or other sewer pipe can be used to convey effluent under the driveway or

paved area to another location on the lot, Crowder said. "The actual drainage field or septic tank system can't be located under the driveway," he explained. The regulation, which has been in effect since 1982, refers to driveways of all types and surfaces, Crowder said. He noted that the county had misinterpreted the law by assuming it referred only to paved driveways. "We were thinking, by 'driveway,' they were meaning a paved driveway," Crowder said.

Septic systems aren't permitted under driveways—paved or not—due to the "compaction of the soil and possible damage to the system itself," Crowder said. "The weight could cause (the septic system) to fail."

After receiving notification from the state, Crowder sent "informational memos" on the regulation to town administrators and town building inspectors throughout the county, he said.

He said the county's new enforcement position does not affect lots where septic tank permits have already been issued.

"If it's already been done... according to the health director, we will leave those situations alone, unless it's determined that there's some type of problem," Crowder said.

But to obtain a permit now, builders may be required to supply "plot plans," to show how the lot will be developed, he said.

"There have been some problems with finding space... where lots are real small," Crowder said. "Builders may have to cut back to smaller driveways and have more green area."

Holden Beach Building Inspector Dwight Carroll said the regulation would have an impact on mainly canal lots at Holden Beach, except that no septic tank permits have been issued for canal lots there in the past few months due to other state health standards.

"On a 50 by 100 foot lot, I don't see how you're going to get a driveway, septic tank and water system in a 50 by 25 foot area," Carroll said, referring to the size of most front yards on canal lots at Holden Beach.

Various setback requirements further decrease the amount of space available for a septic tank, he said.

Sunset Beach Town Administrator Linda Fluegel last week said she doesn't anticipate any problems with the regulation at Sunset Beach.

She said septic tanks now can be placed on the ocean side of oceanfront lots at Sunset Beach, while septic systems are located at the rear of most other lots there.

She said only one builder has applied for a septic tank permit at Sunset Beach since the county changed its position on the regulation last month.

The builder had to file a plot plan, and the permit was approved, she said.

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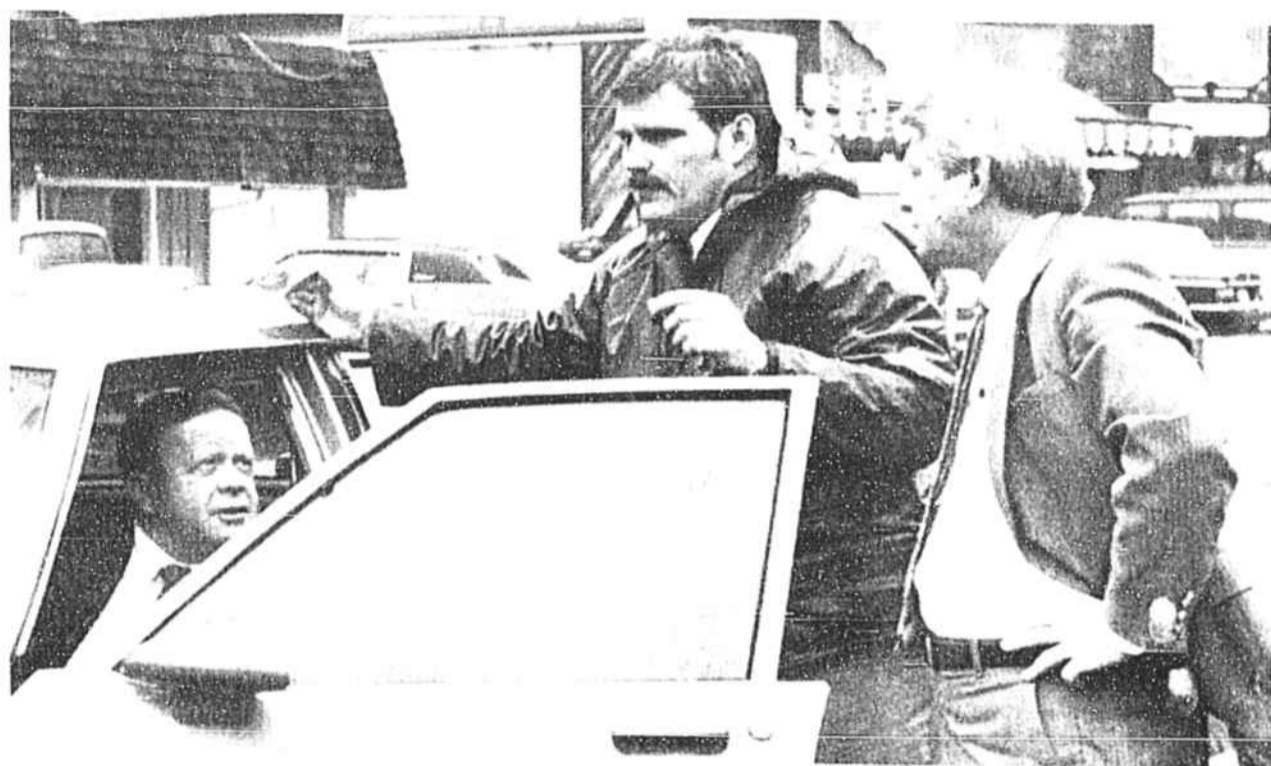
Twenty-sixth Year, Number 6

1987 THE BRUNSWICK BEACON

Shalotte, North Carolina, Thursday, December 17, 1987

25c Per Copy

34 Pages Plus Inserts



UCB AREA EXECUTIVE Al Laughinghouse (right) talks with Brunswick County Sheriff John C. Davis (left) and Det. Lindsey Walton shortly after lawmen arrived on the scene of Tuesday's armed bank robbery in Calabash.

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STAFF PHOTO BY RAHN ADAMS

## Gunman With Fake Bomb Robs Calabash UCB Bank

BY RAHN ADAMS

Law enforcement agencies in North and South Carolina Tuesday night remained on the lookout for an armed suspect who earlier in the day robbed the Calabash branch of United Carolina Bank and left behind what he said was a bomb.

Lawmen and onlookers waited tensely for three hours Tuesday afternoon until a Wilmington Police Department explosives team determined that the device left inside the bank was not an explosive.

According to UCB Area Executive Al Laughinghouse, none of the four bank employees was harmed. No customers were inside the bank at the time of the robbery.

Laughinghouse said Tuesday afternoon that he did not know exactly how much money was taken, but that it was a "nominal amount."

The robbery is under investigation by the FBI, since bank robbery is a federal offense.

FBI Special Agent Terry Peters of Wilmington described the lone suspect as a white male, approximately 50 years old, wearing a dark

leather jacket and dark "Ben Hogan" golf cap.

Peters indicated that a video camera inside the bank might have photographed the suspect.

"If we do have a picture, we will make it available," Peters said Tuesday.

Laughinghouse said the suspect "evidently is not local" because the bank employees did not recognize him.

According to Peters, the robbery occurred around 12:30 p.m. Tuesday at the UCB branch bank, which is located on Ivey High Street.

Peters said the suspect showed employees a handgun and "indicated that there was a bomb" before leaving with an "unknown" amount of cash.

"The suspect was last seen walking away from the bank toward the waterfront," Peters said.

Immediately after the robbery was reported, sheriff's deputies and policemen from surrounding municipalities set up roadblocks on highways leading out of Calabash.

Peters said Tuesday night that

authorities also were investigating the possibility that the suspect could have left the area on foot or by boat.

After arriving on the scene, sheriff's deputies closed Ivey High Street to traffic, while local, state and federal investigators waited for the explosives team to arrive from Wilmington.

Units from the Calabash Volunteer Fire Department and Rescue Squad were on standby at the scene.

No radio communications were allowed within 50 yards of the bank due to speculation that radio traffic could possibly detonate the "bomb."

The explosives team arrived at the bank around 2:30 p.m. and completed its work in approximately an hour.

Peters said the team "made an examination of the device to make sure it was not an explosive."

He would not describe the device itself, although he confirmed that a large manila envelope was "part of it (the fake bomb)."

According to Laughinghouse, two attempted robberies have occurred at the Calabash UCB branch over the past several years, the first in October 1981.

## Whiteville Man Sentenced In Cocaine Case; Prosecutor's Prepare To End 'Phase One'

BY RAHN ADAMS

A Whiteville man—one of 37 people indicted in Brunswick County on cocaine charges in June and July—received a split sentence last week after pleading guilty in August.

Meanwhile, the 13th District Attorney's office is preparing to complete the "first phase" in its investigation of major drug trafficking in Brunswick County, by hopefully prosecuting the last of those 37 cases by mid-February, according to Special Assistant District Attorney Bill Wolak.

Last Wednesday in Whiteville, William Irvin Peal IV, 24, received a 12-year prison sentence, with six months active and 11½ years suspended, Wolak said. Peal also was sentenced to five years of probation and a \$1,000 fine.

Judge Napoleon Barefoot Sr. handed down the sentence following a 45-minute sentencing hearing in Columbus County Superior Court, Wolak said.

On August 31, Peal pleaded guilty, as indicted, to conspiracy to traffic in cocaine and trafficking by possession of cocaine, with both charges involving more than 400 grams of the controlled substance.

His sentencing was continued from the Nov. 16 term of Brunswick County Superior Court until the next available session of Superior Court in the 13th District, which was last week in Whiteville.

According to Wolak, Peal faced a maximum sentence of 80 years in prison, and a mandatory minimum sentence of 70 years and a \$500,000 fine.

However, Barefoot reduced Peal's sentence last week after finding that the defendant had provided substantial assistance to the state in its drug investigations, Wolak said.

Peal was one of six persons who were indicted July 20 as a result of work by a special investigative grand jury in Brunswick County—the first

to be used in the state.

That grand jury indicted 33 persons in June, following approximately four months of investigation.

Indictments were handed down in both June and July for two of the defendants.

Court records show that all but five of the 37 defendants have entered guilty pleas. Some 17 defendants who pleaded guilty are awaiting sentencing.

According to the Brunswick County Clerk of Court's office, three defendants—Fotios Kamtsiklis of Greenville, Dale Varnam of Supply and Richard Woods of Calabash—are awaiting trial.

Sheriff John C. Davis said two defendants—Alan Dale Brooks of Shalotte and Francisco Navarro of Fort Myers, Fla.—remain fugitives.

A special term of Brunswick County Superior Court is scheduled to begin Jan. 11, with the next regular session set for Feb. 8.

"I have about half (of the defendants) scheduled for sentencing on the 11th of January, and the bulk of the remainder on Feb. 8th," Wolak said. "That will dispose of this first phase..."

When asked to explain his reference to a "first phase," Wolak said, "It means the investigation (into major drug trafficking) will continue... The public can rightly assume there will be a phase two, three and four, as long as the investigation continues."

"They (the initial drug cases) have turned out very well so far," he said. "Something the public should know is that by using the (special investigative) grand jury process, there was no money expended for undercover buys, so there was actually a savings."

Wolak said an undercover operation resulting in the indictments of 37 suspects would have required an "astronomical" amount of funds for undercover drug buys.

He pointed out that many of the defendants were charged with trafficking in kilogram (2.2 pounds) quantities of cocaine, which has a street value of \$1,600 to \$2,500 per ounce.

An investigative grand jury "can achieve better and much broader results" since it can compel testimony, he said.



Yuletide Celebrated In Calabash

A Christmas flotilla on the Calabash River capped off an afternoon of food, games and entertainment during Sunday's Feed the Hungry Children Festival in Calabash. Above, Jolly Old St. Nick waves to festival-goers from

the deck of his "sleigh," which was sponsored by the Calabash VFW Post. You'll find the story and more photo coverage of the festival on Page 4-B.

STAFF PHOTO BY RAHN ADAMS