

Committee To Hear Public's Comments On Septic Tank Permitting Problems

A public hearing will be held tonight (Thursday) in Bolivia by a state legislative committee studying the use of septic tank systems for sewage treatment and disposal.

The hearing begins at 7 p.m. in the Public Assembly Building at the Brunswick County Government Center.

Rep. E. David Redwine of Ocean Isle Beach is House co-chairman for the panel, the Small Water Sup-

ply/Septic Tank Systems Study Committee.

The committee wants to hear from citizens concerned about issues related to the permitting of septic tanks.

Those wishing to speak are asked to contact either Redwine, at 754-4326 in advance of the meeting, or to sign up at the start of the meeting. Each registered speaker will be allowed five minutes and are also asked to provide a written copy of their

remarks to the committee's clerk at the hearing.

Currently the committee is looking at both innovative systems and at possible revision of the rules currently regulating sewage treatment and disposal.

At a meeting Friday at 10 a.m. in Southport's City Hall board room (the old Brunswick County courthouse), the committee will hear from various researchers and firms on innovative systems in use in North

Carolina or elsewhere, as well as from Division of Health Services representatives on changes it has proposed in the regulations. Comments from the engineering and development communities are also anticipated.

The meeting is open to the public.

The regulatory changes have been put on hold pending a decision on a proposed revamping of state government that would assign

responsibility for all environmental programs to a single agency.

In Brunswick County the state's septic tank permitting process has prompted numerous complaints, following a local change in how the rules are interpreted. Under the new approach, since November 1987 a large number of canal beach lots and some inland lots have not been approved for conventional sewer systems. At issue are definitions of "original soil." State regulations re-

quire at least 12 inches of original soil must exist above the water table for a site to be provisionally suitable for a septic tank. Fill material—and in the case of the canal lots, dredge spoil—used to build up the lot doesn't count.

Also, health officials are now interpreting the law to mean that driveways cannot cross over the drain field of a septic tank, as well as not over the tank itself.

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Sunset Beach Taxpayers Take No Stand On 12th Street Suit

BY RAHN ADAMS

Despite a plea from one of its members, the Sunset Beach Taxpayers' Association took no official position Saturday on an issue which is at the center of a lawsuit between a dozen property owners and the Town of Sunset Beach over a proposed public beach access area.

Parking-related concerns dominated Saturday morning's hour-long meeting of the taxpayers' association at the Sunset Beach Volunteer Fire Department—the first of three meetings to be held by the group during the year.

About 100 association members attended Saturday's gathering, which was the first meeting under the organization's new president, Albert Wells. Earlier this year, Wells was chosen to replace Sunset Beach Mayor Mason Barber, who stepped down as head of the association last fall after being elected mayor.

Other officers are Alan Russ, vice president; Minnie Hunt, secretary; and Barber, treasurer. Association directors include Wells, Barber, Russ, Ms. Hunt, Warren Knapp, Susan Shipley and Frank Nesmith.

Lawsuit Discussed

Discussion of the "12th Street" lawsuit surfaced during the taxpayers' meeting when Charlotte resident Everett L. Wohlbruck asked the association to clarify its position either for or against the location of scattered public parking areas on the

island.

Wohlbruck, who is one of 12 Sunset Beach property owners being sued by the town, said he was "confused" by the association's past positions on scattered parking.

Citing a story in The Brunswick Beacon on last April's taxpayers' meeting, he noted that the association took a stand against the town's proposal to seek state funds to develop four public beach access areas until an overall parking plan is adopted by the town.

The four proposed areas were located at 12th Street, the dead end of Main Street at Madd Inlet, 27th Street and in the west end dunes.

However, at last April's meeting, the association also stated that it favored public beach access and development of a long-range access plan to protect and preserve the nature of the beach.

The site on 12th Street—a 30-foot wide, undeveloped gully from Main Street to Canal Drive—would have included seven parking spaces and a dune crossover.

In February, the town filed suit against the 12 property owners who withdrew the undeveloped street from town dedication last October after they obtained the property from Sunset Beach developer and town councilman Ed Gore.

Defendants in the suit include Wohlbruck, Nancy A. Wohlbruck, John F. Youngblood III, Nita W.

Youngblood, Richard L. Layton, Karen S. Layton, Samuel S. Conly III, Vivian S. Conly, Richard C. Hogg, JoAnne S. Hogg, Larry W. Calhoun and Patricia B. Calhoun.

According to the lawsuit, the town has asked that the withdrawal be invalidated and that the defendants pay the cost of the legal action.

The suit contends that the street was dedicated to town use in 1976 when land at the eastern end of Sunset Beach was platted, and that the town has 15 years from the time of dedication to open and use the street. A complicating factor, however, is that the street originally was platted and dedicated in 1958.

At Saturday's meeting, Wohlbruck explained that he and the other defendants withdrew the property mainly because they feel their vacation homes would be abused by beachgoers using the proposed access area.

But a Shoreline Drive man at the meeting pointed out that Wohlbruck's efforts to block the access area also affected town residents on the mainland section of Sunset Beach by denying them places to park on the island.

"If you could tell me that the parking would only be used by people like you," Wohlbruck assured the mainland resident, "I'd deed it over to the town right now."

Despite several requests from Wohlbruck, the association took no vote on whether or not it supported scattered parking in general.

After the meeting, Wells noted that the association previously took positions "only on specific proposals for beach parking," in reference to the group's action last April.

"At the same time, we are on record in favor of public parking and public access to the beach," he added.

Wohlbruck told The Brunswick Beacon, "If nothing else, it (a group vote) would have cleared up in my mind where the Sunset Beach Taxpayers' Association stands. Maybe at this point we've got two different views."

Judgment Awaited

During discussion of the 12th Street issue, Wells emphasized the impact that a decision in another legal case—one involving ownership of an oceanfront lot—will have on parking at Sunset Beach.

Earlier in the meeting, Ms. Hunt told the gathering that a judgment was still pending in a lawsuit filed by the association against the firm Sunset Beach and Twin Lakes Inc.

The case was heard in Brunswick County Superior Court last (See SUNSET, Page 2-A)



NEW PRESIDENT ALBERT WELLS (seated, foreground) and Secretary Minnie Hunt (standing) answer questions Saturday morning from members of the Sunset Beach Taxpayers' Association.

STAFF PHOTO BY RAHN ADAMS

Commissioners To Meet With Five Employees Over Racial Grievance

BY RAHN ADAMS

Brunswick County Commissioners next week will hear a racial discrimination grievance which surfaced last month involving five black employees of the county's water department.

Following a brief report by County Manager John T. Smith during Monday night's regular board meeting, commissioners voted to meet with the employees in an executive session on April 11 at 7:30 p.m. in Bolivia.

"It's my opinion that there are indications, at least, that the grievance should be a racial discrimination (grievance), and they (the employees) should address it directly to commissioners," Smith told the board Monday. Also, he recommended that the matter be handled in private since it involves personnel.

The grievance was first brought to the commissioners' attention at their March 14 meeting when one of the employees, Percy Hewett, addressed the board during the portion of the meeting set aside for public comments.

Hewett, who said he had been training as an operator for eight months, told commissioners last month that he had a grievance which was "on behalf of every black that works at the water plant," although he did not identify the other employees.

After Commission Chairman Grace Beasley advised Hewett to discuss the complaint with Smith and County Attorney David Clegg, Hewett did not comment further on his grievance at last month's meeting. Hewett and at least two other black water department employees conferred privately with Clegg for about 30 minutes that night.

Last month, Smith said the employees apparently were "upset about some promotions" that resulted from seven new positions that were created in the water department in February.

Following Monday's meeting, Smith commented that the promotion issue was only one factor in the grievance, but he did not detail the employees' other complaints.

He said he decided to refer the mat-

ter to commissioners "just on the evidence they (the employees) gave me and their grievance. It seemed to me there was evidence of such (racial discrimination) . . . When you looked at the facts, it really had to come down to that."

Smith said Monday that he interviewed the five employees on March 22. The county manager added that he did not discuss the matter with Water System Director Kenneth Hewett after talking with the employees.

"I really don't know any of the specific charges they (the employees) are making," Kenneth Hewett said Tuesday. "One of them said he wanted to talk to me, but then he never did."

Hewett said he looked into the grievance last month after it surfaced, but maintained, "I don't know any more now than I did then."

According to Hewett, nine of the 41 employees under his supervision are black. Hewett said no other racial discrimination grievances have been filed against the water department (See GRIEVANCE, Page 2-A)



STAFF PHOTO BY DOUG RUTTER

THE CALABASH RIVER figured largely in responses to a recent land use survey of Calabash residents. Most respondents said they want to preserve the town's character and the river, while some would also like to see a waterfront park.

Calabash Property Owners Favor Annexation

BY DOUG RUTTER

Most Calabash property owners want the town to grow at a moderate rate and favor annexation of adjacent developments, according to results of a recent citizen survey.

Those responding listed the provision of adequate water and sewer service, control and guidance of land development within the town and maintaining the character of the town as the three most critical development issues.

The survey was conducted to receive public input for the town's first land use plan, being developed by Ken Weeden of Talbert, Cox & Associates of Wilmington.

A total of 32 persons participated in the survey (22 percent), which was mailed out last month to all residents and property owners.

Despite problems collecting a high

percentage of town taxes in the past, most surveyed said they would be willing to pay more in exchange for services such as sewage treatment, county water and street improvements.

Frequent citizen complaints included inadequate trash pick-up service and too many mobile homes.

Of those who returned the surveys, 48 percent live in mobile homes, while the others live in conventional houses.

Also, 69 percent of the respondents had lived in Calabash less than 14 years and nearly half were non-resident property owners.

The annual household income of nearly all participating in the survey was more than \$10,000, while 52 percent of the households earned more than \$30,000 per year.

Citizens said they favored preservation of the Calabash River, limitation of commercial development and signs, prohibition of high-rise structures, enforcement of existing zoning and environmental laws and more frequent patrolling by county deputies and state Highway Patrol officers.

Most responding to the survey favored the town developing its own subdivision regulations, keeping ordinances updated, adopting a leash law and applying for grants for a sewer system.

A slight majority favored hiring a full-time police officer, while 60 percent of those participating in the survey said they would like to see development of a waterfront park.

Weeden, who presented the survey results during a town board meeting last week, said these issues will be

further analyzed and that the planning board and town council may include them in policy statements which will be part of the land use plan.

In addition to addressing issues within the town limits, the land use plan will also reflect the position of the town council in terms of desired growth in outlying areas.

"This is definitely a growth area," said Weeden. "That's why it's so important to have a good land use plan."

About half of the 3,000 lots in the extraterritorial jurisdiction area (ETA) of Calabash are undeveloped, he said. "There's a lot of room for development out there."

The ETA extends approximately one mile beyond the town limits in all directions.