

UOB Recommends Adding Third SAD To Holden Beach Area Water Effort

BY RAHN ADAMS

County utility officials are learning that bigger is better, when it comes to saving money on special assessment district water projects.

On Monday, the Brunswick County Utility Operations Board voted unanimously to recommend to county commissioners that three districts in the Holden Beach area be combined into one water line extension project.

John Boney and Commissioner Frankie Rabon were the only UOB members absent from Monday night's one-hour, 45-minute meeting, which was largely a replay of last month's board session.

At the July meeting, the board

asked its consulting engineers, Houston and Associates, for cost estimates on the proposed water line extensions into SADs 7 and 9, located on opposite sides of the mainland causeway at Holden Beach, and on the feasibility of adding nearby SAD 16 (Sea Aire area) to the project.

Engineer Jay Houston reported Monday that the county—and ultimately the property-owners who are assessed for the project—would save an estimated \$42,644 by combining the three districts. Doing the three SADs individually would total an estimated \$506,166, while the consolidated approach would cost an estimated \$463,522.

UOB Chairman Robert Nubel

noted that the board was recommending that SAD 16 be served out of sequence on the SAD priority list; the county would be skipping SADs 12 through 15. However, members agreed that the expected cost savings and proximity of the three SADs would justify the move.

The only other reservation expressed about combining the districts was that the water department might have difficulty filling orders for water taps on a timely basis, if all three SADs come on line at once.

Public Utilities Director Jerry Webb said his tapping crews now can fill a tap-on request in two to three days; however, he indicated that unless additional personnel are

hired, that waiting period would increase if the department is flooded with orders.

As a result, the UOB also approved member Ed Gore's motion to recommend that the county consider having the eventual project contractor install residential taps as water lines are being laid. Those early taps would be done only for individuals who state in writing that they intend to become customers.

The board specified that funds to pay the contractor for installing the taps would not come from the SAD project cost, which is paid by all property owners in the district; the money would come from a separate water department fund.

The first public hearing on SADs

7 and 9 will be held on Monday, Aug. 28, at 7 p.m., in the Public Assembly Building, Bolivia. The UOB will recommend to commissioners that the initial public hearing for SAD 16 be held on Sept. 28.

In another matter, the UOB voted to recommend that the water department relocate a 375-foot section of water line that was uncovered by high tides earlier this year on the eastern end of Holden Beach.

Noting that the work would not involve any of the county's water line under Lockwood Folly Inlet, consulting engineer Alan Lewis estimated that the project would cost between \$1,200 and \$1,500.

However, he said the work might

prove to be only a temporary solution. If erosion continues at its present rate on the eastern end of the island, the line would have to be relocated again in about six-and-a-half years, he said.

In other business at Monday's meeting, the utility board agreed on the following recommendations:

—That the UOB have the authority to determine whether or not master water meters should be installed at multi-unit developments.

—That a county water line to Forest Hills subdivision in the Holden Beach area be oversized from six inches to eight inches, in anticipation of future service extensions in that area. UOB member Alfonso Roach is Forest Hills' developer.

Town Trying To Collect Overdue Utility Charges

BY DOUG RUTTER

Shallotte officials aren't saying much on the subject, but acknowledge they are still trying to collect payments on a shopping center's water and sewer bills that may be as much as two years overdue.

Mayor Jerry Jones said the town is trying to collect a sum of money owed in overdue utility bills from a party associated with Resort Plaza shopping center. He would not provide the amount of the overdue charges, the period of time for which the bills are owed or the name of the individual or organization that owes the money.

Jones referred all questions to the town attorney, who he said is handling the matter on behalf of the town. The town's billing clerk also referred questions to the town attorney, stating that he had been given all of the information relating to the overdue water and sewer charges.

But the town attorney also refused to comment on the record on what the town has done or plans to do to collect the money. "The town has not authorized me to give out that information," said Mark Lewis. "There's nothing I can say at this point."

Resort Plaza, a \$1.5 million shopping center at the south end of Shallotte, was seized by federal marshals on Sept. 3, 1987, in connection with a federal civil suit against a former part-owner of the complex, Alvin Bryan Willis III of Shallotte.

When the plaza was seized, two months of water and sewer bills amounting to \$1,276 were owed the town. The plaza receives one bill for water and sewer each month, and individual shop owners are not billed.

Shallotte officials would not say whether they are still trying to collect the money from those two months or if the uncollected sum is left over from another period of time, even though water and sewer bills are public record.

Town policy allows water and sewer department workers to cut off service if a bill for one month has not been paid by the start of the following month. However, customers are typically given longer than a month to pay off their outstanding bills, according to town staff. Utility service for Resort Plaza has not been cut off.

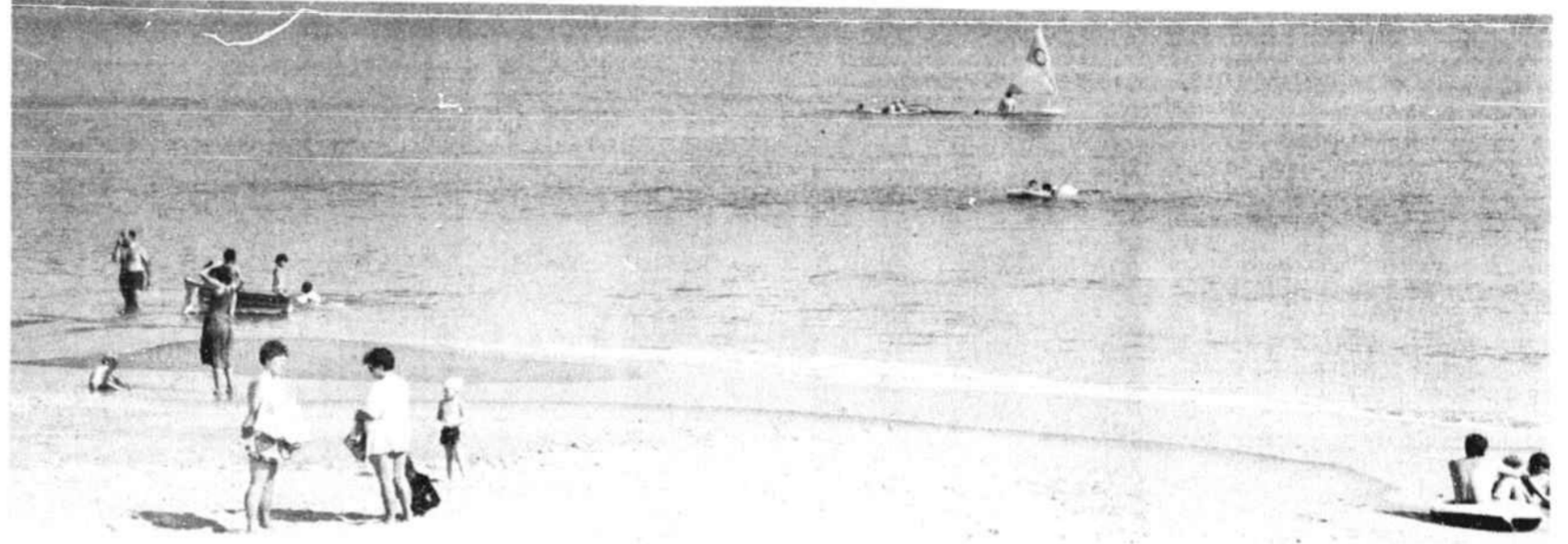
Dwight Rich, chief deputy of the U.S. Marshal's Service in Raleigh, said the marshal's service paid all of its water and sewer bills during the period of time it owned the plaza and that the agency is not responsible for bills generated prior to the seizure of the property.

"As far as we're concerned, all bills have been paid that we're responsible for," he said. "We pay our bills. That's the bottom line to it."

However, the marshal's service did agree to make sure payment was made on all outstanding bills relating to the property except for the 1987 and 1988 property taxes, according to the plaza settlement agreement between the U.S. Attorney and Alvin B. Willis Jr., which was executed in March. Paragraph Seven states, "The United States will assure that the property manager will provide verification to Willis, Jr. that all outstanding bills of every nature and description relating to the property have been paid except for the 1987 and 1988 ad valorem taxes."

Rich said a letter sent to Mayor Jones on Sept. 28, 1987, stated that the marshal's service was willing to pay all water and sewer charges after Sept. 3, 1987—the date the federal government seized the plaza. The organization never heard back from the town concerning water and sewer bills, he said.

"We are going to pay whatever we are obligated to pay," said Rich. "If there's some problem with outstanding bills I feel the town needs to get in touch with us on this."



STAFF PHOTO BY EDDIE SWEATT

Atlantic Ocean Or Lake Atlantic?

The Atlantic Ocean was more like a lake at Holden Beach most of Saturday until a late afternoon southeast breeze brought a return to the normal wave action.

Authority OKs Agreement; Awards Pipeline Contract

BY RAHN ADAMS

After two months of negotiations, Brunswick County and the Lower Cape Fear Water and Sewer Authority last week came to terms on a new water supply agreement—a move that allows the authority to proceed with a \$7.3 million expansion into New Hanover County.

According to County Attorney David Clegg, who also serves as LCFWSA chairman, the authority board voted unanimously last Wednesday to approve the water supply contract, just as commissioners had done two days earlier at their Aug. 7 meeting.

Provisions added to the new con-

tract are that the county will continue to operate and maintain the authority's facilities; that both bodies will seek legislation for a "lump-sum payback" of more than \$5.5 million the county advanced the authority in 1982; and that the authority will not charge any future customer a rate lower than the county's.

Also, the new agreement states that the county will pay a water rate that is 80 percent of the rate to be charged the three prospective New Hanover County customers: Cape Industries, Takeda Chemical Products USA and the City of Wilmington.

Last month the county appealed a New Hanover County Superior Court decision that the authority could not use a discriminatory rate structure. The new contract states that the county will be charged a lower water rate, if the appeal is decided in the county's favor or if an outside settlement is reached.

The new agreement still provides that the county reserve the last eight million gallons of the authority's water capacity; that the county retains the right to sell untreated water in Brunswick County; that the authority must buy any treated water it may need from the county; and that the authority must repay the more than \$5.5 million to the county.

Also at last Wednesday's meeting, the authority board awarded the \$7.3 million water line construction project to low-bidder Bryan Electric Company of High Point. Board members Clegg and Brunswick County Commissioner Grace Beasley cast the only two dissenting votes.

"I voted against it to express my support for our declaratory judgment appeal," Clegg explained. "It just was a vote of principle for the historic perspective of this whole issue." The county is the authority's first and only customer.

Clegg noted, however, that although the construction contract was awarded last week, actual work will not begin "for months." He explained that the authority must now arrange \$4.1 million in revenue bond financing through the N.C. Local Government Commission for

Cape Industries' share of the project.

Takeda and Wilmington have committed to paying the remainder of the project costs and already have paid their portions of engineering costs.

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Shallotte Planners Suggest ETA Boundary

Shallotte Aldermen were expected to take their first look Wednesday night at a planning board recommendation for the town to extend some control over future development beyond the town limits.

After several months of study, the planning board recommended last week that the town establish an extraterritorial jurisdiction area (ETA) as a means of regulating growth in areas surrounding the town, according to board clerk Sandy Hewett.

Extraterritorial jurisdiction would allow the town to enforce its zoning and subdivision ordinances and the state building code in an area up to one mile outside the town limits. In turn, residents of the area would have voting representation on the planning board and board of adjustment—the two town boards that address how property is used.

The jurisdictional privilege is available to towns only where the county has not already taken on all three duties. Brunswick County provides building inspection and subdivision ordinance enforcement in unincorporated areas, but has yet to adopt a zoning ordinance.

The boundary proposed by the Shallotte Planning Board extends along U.S. 17 to Old Shallotte Road south of town and Royal Oak Road north of town. Along N.C. 130, the proposed area reaches out to Airport Road on the west and past Gray Bridge Road on the east. On N.C. 179 the area would extend to just beyond the existing town limits near Village Point Road and Brick Landing Road.

Sunset Beach, Calabash and Southport are the only municipalities in the county that already have established areas of extraterritorial jurisdiction. Ocean Isle Beach officials hope to have an ETA in place

before the end of the year.

Also last week, the planning board recommended annexation of two large areas at the north and south ends of town. Each of the areas is made up of about 400 acres and has multiple owners who are requesting inclusion in the town.

Land proposed for annexation at the south end of town includes individual tracts owned by W.J. McLamb, Roy and John Mintz, Grady Hardwick, Eldridge Ludlum and Lyle Burton. The properties are located on both sides of the U.S. 17 Shallotte bypass south of its intersection with N.C. 130 West. McLamb's Parkview Apartments are included in the area.

The other area recommended for annexation is located at the north end of town off Forest Drive. Owners Bobby Long, Hardwick and McLamb have each requested annexation of their individual tracts.

The land includes the Green Bay Village subdivision and is contiguous to the town limits because it touches the wastewater treatment plant property on the east side of Forest Drive.

Clarification

The Harold Wayne Johnson listed in the Brunswick County District Criminal Court record published in the Aug. 10 edition of *The Brunswick Beacon* is not the West Brunswick High School teacher Harold Wayne Johnson of Route 3, Shallotte.

According to the Brunswick County Clerk of Court's office, the defendant who appeared in District Court on July 31 is a resident of Route 9, Shallotte.

Woman Admits Involvement In Shallotte Man's Murder

A Columbus County woman on Monday admitted her involvement in the September 1988 murder of Shallotte businessman Darwin Kingsley "King" Freeman.

Carol Jeanette Moore, 20, of Bolton, pleaded guilty Monday in Brunswick County Superior Court to being an accessory after the fact in the crimes of murder, kidnapping, burglary, armed robbery and two counts of arson, according to the Brunswick County Clerk of Court's office.

Her sentencing was delayed until later in the special two-week court session. She faces up to 60 years in prison—a possible maximum sentence of 10 years on each accessory count. Judge Donald W. Stephens is presiding.

The guilty pleas were entered on the same day that jury selection began in the first-degree murder trial of Ms. Moore's boyfriend, Henry Levi Pigott, 33, of Shallotte. Jury selection was still underway Tuesday afternoon.

Pigott is charged with first-degree murder, armed robbery, kidnapping, burglary and arson in connection with Freeman's death. Pigott and Ms. Moore were arrested in February at Pigott's Airport Road residence, following a five-month investigation by the SBI and Brunswick County Sheriff's Department.

If found guilty, Pigott faces either

life in prison or the death penalty on the murder charge. Other possible maximum penalties are life in prison on the burglary and arson charges, and 40-year prison terms on the armed robbery and kidnapping counts.

The body of the 74-year-old Freeman was found Sept. 25, 1988, in an efficiency apartment at his business, Anchor Lumber Company, located on U.S. 17 south of Shallotte. Bound hand and foot, he died of a single .22-caliber gunshot wound to the head.

Investigators said the apparent motive in the killing was robbery. About \$110 was stolen from the business. Also, the apartment was partially burned in an apparent attempt to destroy evidence, lawmen said.

Pigott was employed at Anchor Lumber Company at the time of the murder. Authorities said he was not working there when he was arrested in February.

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