

ORDINANCE MAY BE CHANGED

Holden Beach Leaning Toward Street Lights

BY DOUG RUTTER

Street lights may be coming to Holden Beach, along with changes in the town's controversial rules that limit outdoor lighting on private property.

Holden Beach Commissioners and planning board members agreed Monday that the island needs public street lights for safety and security reasons.

Officials also kicked around the idea of changing or killing the outside light ordinance that's been debated since it took effect last November.

The planning and zoning board was asked to come up with a recommendation for regulating yard and security lights in residential and commercial areas.

But the street lights issue probably will be settled first. Commissioners want Town Manager Gary Parker to come up with a firm proposal for consideration at the Jan. 6 town meeting.

Commissioners want to know how much lights would cost, where they would be placed, what kind would be best and how long it would take to get them.

Based on discussion at Monday's special meeting, town board members are leaning toward street lights at every intersection and extra lights where they're needed or requested.

Town Manager Gary Parker estimates it would cost the town \$13,440 per year to provide lights at every street intersection.

The 80 lights would most likely be placed on 20-foot poles and be recessed so they shine down and do not create a nuisance to motorists or

"It's time to get our act cleaned up and stop being the laughing stock."

—Commissioner Jim Fournier

nearby residents.

Parker said the town board could wait until the new fiscal year in July to budget money for the lights or take money this year from the fund balance.

"I think they're sorely needed," Commissioner Jim Fournier said. "I think the police reports will bear that out."

Fournier said there have been 32 robberies and burglaries and 29 cases of larceny and vandalism in town since the start of the year.

Other commissioners and planning board members indicated they also want street lights to make the island safer and improve home security.

But Commissioner Sid Swarts said he doesn't want a lot of street lights. The lack of lights, he said, is what makes the island attractive.

"It's sort of the whole concept of our island," Swarts said. "It's not a big city."

Most town officials agreed that street lights would solve many of the problems that were created by the outside lighting ordinance.

A previous town board adopted the rules on outdoor lights in November 1989. Homeowners were forced to lower or remove some of their lights when the ordinance took effect a year later.

Since then, commissioners have held a second public hearing on the

rules and voted twice early this year to stand behind them.

Public opposition resulted in the commissioners sending the ordinance back to the planning and zoning board in September.

The rules, which are still in effect, were based on a 1987 ordinance that prohibits outdoor lights which constitute a nuisance to neighbors or people driving motor vehicles.

The 1987 rule was supposed to be deleted when the new ordinance was passed, but it is still in effect as well.

Since the 1989 rules are part of the zoning code, a public hearing would have to be held before they could be changed or deleted.

Planning Board Chairman Roger Williams said he's heard from 98 people about the lighting ordinance, and only five like the rules as they are.

Williams said 85 to 90 percent of the people he's talked with believe public street lights are the answer to the problem.

At least one town board member, Fournier, thinks the 1989 rules should be thrown out. He was one of the homeowners who was forced to lower a security light to comply with the rules.

Fournier said the ordinance should be rescinded, and the town should leave it up to neighbors to settle their own disputes.

"I think we need to get out of the citizens' private business," he said. "It's time to get our act cleaned up and stop being the laughing stock."

But Swarts said the town needs some control over lights because homes are so close together and some people have no consideration for their neighbors.

"I can't see rescinding it until we get something better," he said.

Parker, who took office as town manager after the rules were approved, described the 1989 ordinance as "arbitrary, capricious and probably illegal."

He said the town needs a simpler ordinance, and suggested shifting the responsibility of enforcement from one individual to a group of people.

Jim Shafor, vice chairman of the planning board, said the town should put up street lights and change the ordinance to give residents more freedom.

"I think everybody's got the right to choose their own light," he said. "There are people who have special needs."

The planning board is scheduled to meet Jan. 21 to discuss the ordinance, and a public hearing could be held in mid-February.

In its only other action Monday, commissioners approved \$75 Christmas bonuses for all town employees following an executive session.

The board also agreed to pay former Police Chief Raymond Simpson for the 600 hours of vacation time he accrued prior to 1983, in accordance with a town policy in place at that time.

Warm, Dry Holiday Expected

Residents of the South Brunswick Islands can expect Christmas Day to be a little warmer than usual, according to the weekly weather report from meteorologist Jackson Canady.

"We could easily top 70 degrees," he said, adding that the warming trend could last most of the holiday week.

Canady said that the outlook calls for rainfall to remain below average and for temperatures to stay mild and near normal. Daytime highs should reach the upper 50s, while evening low temperatures should get down to the upper 30s.

For the period of Dec. 10-16, Canady recorded a maximum daytime high temperature of 77 degrees on Dec. 13, and a minimum low of 27 degrees on Dec. 16.

The average daytime high was 65 degrees, and the average evening low was 45 degrees, making for an average daily temperature of 55 degrees.

This reading was seven degrees above average for this time of year. Canady also reported that he measured no rainfall at his Shallotte Point home.

Holden Won't Seek Re-Election

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year terms.

Holden criticized the vote, saying two-year terms would be too time-consuming for businessmen on the board and would set county politics back 20 years.

When the county's two political parties disagreed on the issue in the spring, Redwine decided to place it on the ballot and to let voters decide. That move angered the all-Republican Board of Commissioners, prompting talk that one member might challenge Redwine for the House seat.

Holden said he has always stood accountable for his decisions as a commissioner.

"My service on the board has filled me with a sense of satisfaction and accomplishment," stated Holden, a self-employed businessman and farmer from Shallotte.

However, he noted that in 1992-93 would be a "time to explore other options in public service."

Holden said he would approach his "new endeavors with optimism," but declined to say what those endeavors would include.

Holden hinted at the Dec. 2 meeting that he would be leaving the board when he read an emotional statement praising his fellow board members and their wives. His wife, Barbara, was at Monday's meeting when Holden made his announcement not to seek re-election.

Private Hauler To Handle Trash

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clinging program since October, when George Bush Recyclers of Florence, S.C., announced it could no longer afford to operate dropoff sites in the county. The hauler had set up trailers staffed by volunteers at eight locations.

Several communities have kept their trailer sites open in private agreements with haulers.

County Say Engineering Errors Set Project Back

BY TERRY POPE

Brunswick County officials claim engineers at work on the Shallotte Point and Seaside water project negligently placed a water tower on the wrong side of the road and a pumping station in a federally-protected flood plain area.

Last Thursday, Dec. 12, the county filed a countersuit against Houston and Associates of Shallotte, the engineering firm fired while at work on the county's water line project.

For the first time, the suit specifically points out the county's reasons for firing the firm on Aug. 5.

Citing numerous delays, Brunswick County Commissioners voted 3-2 to terminate the contract but did not go into specifics. In its lawsuit filed Aug. 30, Houston and Associates claims county officials breached the contract and asks for more than \$397,000 in fees, payment for work and damages.

However, Brunswick County's answer and counterclaim accuses Houston and Associates of:

- placing a 10 million gallon per day pump station in the wrong place according to Federal Emergency Management Agency (FEMA) flood maps;
- placing a 300,000-gallon elevated water tower on the wrong side of the road along N.C. 179 near Shallotte Point; and
- ignoring in its design work the presence of con-

taminated soil from leaking underground storage tanks at Shallotte Point.

The county is seeking three claims for relief, citing breach of contract and professional negligence against the engineering firm.

It is seeking in excess of \$10,000 in damages for breach of contract, accusing Houston and Associates of "failing to properly deliver to Brunswick County the engineering services within the time for performance".

Attorneys Alfred P. Carlton Jr. and David Clegg are also seeking in excess of \$10,000 in damages because the firm has refused to turn over its work in progress on the water project, it states.

Brunswick County has indicated it should be allowed to seek \$22,557 in money paid to the firm that the county claims "have not otherwise been earned".

Brunswick County Superior Court Judge B. Craig Ellis concurred on Dec. 4 when he granted that part of the county's motion to dismiss the Houston lawsuit.

Houston claims the county breached the contract, failed to indicate that time was of the essence for turning in design work and took deliberate actions to force the firm to miss its deadlines.

The counterclaim states that both the county and Houston were aware of the "critical need for the prompt completion of the Capital Im-

provement Project." The county took action available under the agreement dated Feb. 4, 1991, in an effort to "reduce further design delays and complete the project for the health, safety and welfare of its citizens," it states.

After the firm was fired, it refused to turn over work in progress, which the county claims was a provision of the contract. Despite demands, Houston has failed and "refused to unconditionally turn over to Brunswick County" those documents, it states.

Instead, Houston delivered the work on Aug. 16 to the Shallotte branch of the NCNB bank to be held in escrow pending a determination of the rights of both parties.

The counterclaim states that Houston negligently failed to use aerial topographical maps and FEMA flood maps to designate a location for the pump station, which it claims was placed in a federally-designated flood plain on the designs.

It further states that Houston failed to use existing county water line plans and maps and placed a 300,000-gallon water tower on the opposite side of N.C. 179 from where an existing county water line was buried.

It also says the plans did not address the presence of known contaminated soils at Shallotte Point where underground storage tanks have leaked and allegedly caused well contamination.

Postal Operations Moving To South Branch

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the southern area, where growth is heaviest, being handled out of the larger South Brunswick branch and the other three out of the Shallotte office.

Bringoli said he advocated consolidation in the interest of efficiency.

"All the mail will be worked out of that office," he said. "I can't split the clerks; they have to be in one place to sort."

"If you're going to have a large number of routes in one office, it

wouldn't make sense to have to take the mail back here to run routes from here. That would delay those routes more than they are now."

Mail is sorted in two steps. First, clerks sort the mail by route as it is delivered to the office. Carriers arrive later in the morning and begin resorting the mail for their route by address, in order of delivery, while the clerks continue sorting mail by route.

According to Bringoli, with all sorting by route being handled at the roomier South Brunswick station,

carriers for any routes run from the main office in Shallotte would have to wait until all their mail was sorted by route and then delivered to the Shallotte office before they could begin sorting by address.

"With that plan it could be noon before the carriers could leave, maybe later if a mail truck arrived late," he said.

Under the plan as now proposed, Bringoli said rural mail delivery should be no later than it is now, with earlier delivery along routes in the south end of the service area—Calabash and environs. "We're hoping we can get the mail up and delivered earlier."

Mail destined for boxes at the main post office will be sorted at the South Brunswick station, then transported back to Shallotte. Bringoli said a sub clerk will bring the mail and stay to help the window clerks

put up the mail and prepare for the day.

As for how soon the mail should be up each day, Bringoli predicted, "It shouldn't be any worse than than it is right now."

The mail gets put out at varying times, depending in part on higher seasonal activity in the summer and as the holidays approach.

Generally, said Bringoli, both now and after the new South Brunswick office opens, "We're hoping it will be in by 10, but between 10 and 11 is more reasonable."

At 13,450 square-foot interior space, the South Brunswick station will be nearly three times larger than the main office in Shallotte. It is situated on four acres, with parking space for 55 customers plus carriers and staff.

Located on N.C. 904 between Grissetown and Seaside, the facility is being built under general contractor Robert G. Snyder at a contract cost of just under \$1 million.

It must be occupied no later than Feb. 1.

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