

THE PERQUIMANS WEEKLY

Volume 58, No. 2 USPS 428-080 Hertford, Perquimans County, N.C. Thursday, January 12, 1989 30 CENTS

Harveys plead guilty to reduced charges in U.S. District Court under plea bargain arrangement

A Hertford couple indicted on felony drug charges in September pled guilty to lesser charges in a plea bargaining agreement during a U.S. District Court hearing in Newbern last week.

Fred J. Harvey, 37, and his 34-year-old wife Linda Marie agreed to surrender almost \$280,000 in cash plus the ownership of 15 vehicles in exchange for reduced charges.

Although rights to the property were relinquished in the plea bargain arrangement, Hertford Police Chief Marshall Merritt said that no conviction was necessary for a civil forfeiture of money and property in the case.

The Harveys were indicted after a six-month investigation spearheaded by the Hertford Police Department, who received assistance from the Drug Enforcement Administration and the State Bureau of Investigation.

The combined law enforcement officials, along with back-up from the Elizabeth City Police Department, raided the Harveys Brace Street home on June 21. Mrs. Harvey was in the home at the time of the raid. Mr. Harvey allegedly fled after he spotted law enforcement officers enroute to his home. He was chased by Officer Tim Spence of the Hertford Police Department and a DEA officer, and was brought back to the dwelling.

Lawmen were hampered in their efforts to gain entry into the double-wide mobile home by Mrs. Harvey's refusal to answer the door and Mr. Harvey's unwillingness to

unlock the door. Upon entering the residence through a window, police found a variety of chains and locks on the front and back doors, fortified by wire cables.

Officers heard the toilet flush, and found Mrs. Harvey in the bathroom where she was standing holding a bucket of water. Various empty foil packets and drug paraphernalia were in the room. The packets contained trace amounts of what was later determined to be controlled substances.

Nearly \$280,000 in cash was uncovered hidden in flower pots in the livingroom. All the bills were denominations of \$100 or less. Also found in the home was an arsenal of weapons including a .32 caliber pistol, a semi-automatic rifle and a .45 magnum revolver.

Outside, a "shooting gallery" (place where people gather to use drugs, usually intravenous types) was discovered. A search of the premises revealed drug paraphernalia including empty syringes.

A grand jury indictment handed down in September led to the Harveys arrest on September 6. Mr. Harvey was indicted on felony charges of conspiracy to distribute cocaine and heroin, possession with the intent to distribute the drugs and use of firearms. Mrs. Harvey was charged with obstructing justice and possession of a controlled substance.

The minimum sentence Mr. Harvey can receive is five years in prison and a \$250,000 fine. Mrs. Harvey could receive one year in prison and a \$5,000 fine. They will

be sentenced in April by U.S. District Judge Malcolm J. Howard in Fayetteville.

Chief Merritt attended the Newbern court session. "I was hoping that Mr. Harvey would receive a stiffer sentence than that reacted in the plea bargain arrangement," he commented.

Merritt added, however, that the judge does not have to abide by the sentences agreed upon in the plea bargain agreement. "During the arraignment, the judge made it clear, very clear, to the Harveys that he did not have to give them the minimum sentences agreed upon in the plea bargain arrangement," he said.

"I am hopeful that the judge in his discretion, after reviewing the evidence and post-arrest reports,

will decide on a more severe sentence," Merritt added.

"This was the largest amount of money and property we have ever confiscated in connection with any crime in Hertford," Merritt said of the raid. "Up until the Eason case, this was the largest amount of cash and property confiscated in north-eastern North Carolina," he continued.

Merritt said that the Harvey investigation did not come as a result of the work of the task force that was formed after the Harvey raid.

Merritt said he was glad that the Harvey operation was shut down, even though he was disappointed with the plea bargain arrangement.

Two accidents occur on New Hope Road

Two accidents were investigated by the N.C. Highway Patrol on Thursday, January 5. Both incidents occurred on Rural Road 1300 and were answered by the NCHP within a 10-minute time span.

Tina Michelle Caddy, 18, of Route 3, Hertford, flipped the 1984 Ford Escort she was driving at approximately 8:20 a.m. The incident occurred nine miles south of Hertford near the intersection of New Hope Road and Cove Road.

According to the accident report of investigating officer Y.Z. Newberry, Caddy was travelling south on New Hope Road in a curve when she ran off the left side of the road. After striking a mail box, the car went out of control and came back onto the roadway on the west side of the road.

The vehicle then hit a ditch bank, overturned, and came to

rest on its top in a ditch. The estimate of damages was \$8,000.

Caddy was not injured in the wreck. No citation was issued.

At 8:30 a.m., Trooper C.S. Adams was called to investigate a two-car accident 1.6 miles east of Winfall.

Angela Morgan Black, 23, of Winslow Mobile Home Park, Elizabeth City, was driving west on Rural Road 1300 when a car driven by Sally Bundy Paul, 34, of Route 3, Hertford, pulled out of a driveway and into the path of the Black vehicle.

Damages to the Black car were estimated at \$850. The Paul vehicle had damages of approximately \$1,000. No one was transported for medical attention, although Paul did report a possible minor injury.

Paul was cited for failure to yield the right of way.



A New Hope teenager walked away from her 1984 Ford Escort unscathed after it overturned on Rural Road 1300 last week. Tina Michelle Caddy reportedly ran off the road and struck a mail box before losing control of her car. Damages were estimated at \$8,000. No charges were filed.

Harris on board

North Carolina Eastern Municipal Power Agency (NCEMPA) Board of Commissioners elected its officers at its December 28 meeting in Wilson.

NCEMPA officers for 1989 are: Rocky Mount Mayor Frederick E. Turnage, chairman; Laurinburg City Manager Peter G. Vandenberg, vice chairman; and Scotland Neck Town Commissioner N.O. McDowell, Jr., secretary-treasurer. At-large executive committee members elected are: Wilson City Manager Cyrus L. Brooks, Hertford Town Commissioner Jesse Harris, Kinston City Manager Stephen W. Raper, and Wake Forest Town Administrator Jerry A. Walters.

Power agency participants include 32 municipalities which own their electrical distribution systems. Participants purchase power from the agency. NCEMPA has ownership interests in generating facilities operated by Carolina Power & Light Company. NCEMPA's board of commissioners includes representatives from all of its participating municipalities selected by their respective governing bodies.

The power agency has contracted with ElectricCities of North Carolina, Inc. for management and technical services. ElectricCities is a joint municipal assistance agency composed of 64 North Carolina cities and towns which own and operate their electrical distribution system. These 64 cities and towns are among more than 2,200 public power communities nationwide.

Band funds, ordinance discussed

The Hertford Town Council requested that town attorney Walter Edwards, Jr. draw up a resolution giving the council authority to restrict junk cars and other related items sitting on properties in the city limits.

Although the town presently has an ordinance, it is not considered adequate to handle some of the problems that the town now faces. The councilmen initiated work on the new ordinance in an effort to control unsightly rubbish. Edwards will draft the ordinance for the council's review.

BAND DONATION

The Perquimans County High School Band was given a \$2,000 contribution to help with expenses to be incurred on the band's trip to Washington, D.C. Band Director David Ziemba and Band Boosters President Danny Privott visited the council on behalf of the students. The council was generous in its praise for the accomplishments of the band students and their invitation to participate in the inaugural activities.

NEW HOLIDAY OBSERVED

The town council voted to add Martin Luther King, Jr.'s birthday to the list of holidays town employees observe. Due to this change, Mayor and City Manager Bill Cox said that there would be no trash or garbage pick-up on Monday, January 16.

PUBLIC HEARING

Attorney Edwards informed the board that a public hearing will be held on January 23 at 11 a.m. to discuss the town's zoning ordinances.

Judge Grafton Beamon hears cases last week

District Court was held January 4, 1989 with the Honorable Judge Grafton G. Beamon presiding. The following cases were heard:

Thomas Brock Winslow was found guilty of speeding 64 mph in a 55 mph zone. Fined \$10.00 and court costs, with work release privileges.

Dennis Nolan Winstead was found guilty of DWI. 30 days suspended two years, pay \$65.00 and costs, complete 24 hours of community service, complete ADET School and surrender operators license.

William Augustus Whitehurst was found guilty of DWI. 30 days

suspended two years, fined \$75.00 and costs, not operate motor vehicle from January 4, 1989 to February 4, 1989, surrender operators license. Also found guilty of seat belt violation - \$25.00 penalty. Guilty of transporting spiritual liquor - \$25.00 fine and costs.

Richard Edward Taylor found guilty of DWI and DWLR. 12 months NCDC with work release privileges.

Kenneth Wayne Mostella was found guilty of speeding 64 mph in a 55 mph zone. Fined \$10.00 and costs.

Roy Harley James was found guilty of speeding 70 mph in a 55 mph zone. Fined \$10.00 and costs.

Kelly Harris York was found guilty of speeding 70 mph in a 55 mph zone. Fined \$10.00 and costs.

Lester Vanchel Perry was found guilty of DWI - 90 days suspended two years, fined \$200.00 and costs, complete 72 hours community service, complete ADTE School, not operate motor vehicle from January 4, 1989 to January 4, 1990. Also guilty of DWLR and possession of less than 1/2 oz. of marijuana - 90 days suspended three years, pay fine of \$300.00 and costs, not operate motor vehicle until licensed to drive, commit no criminal offense.

Gary Hamill Wilkins was found guilty of speeding 64 mph in a 55

mph zone. Pay \$10.00 fine and costs.

Preston Roy Clay was found guilty of speeding 62 mph in a 55 mph zone. Pay \$10.00 fine and costs.

Henry Alden Parker was found guilty of speeding 62 mph in a 55 mph zone. Pay \$10.00 fine and costs.

Gary Cobb Allsbrook was found guilty of speeding 64 mph in a 55 mph zone. Pay \$10.00 fine and costs.

Carl Edward Kirby was found guilty of speeding 64 mph in a 55 mph zone. Pay \$10.00 fine and costs.

Paul Richard George was found

guilty of exceeding safe speed. Pay \$10.00 fine and costs.

Ronald Lee Spellman was found guilty of assault on a female. 90 days suspended one year, pay costs, commit no criminal offense.

Shirley Colbreth was found guilty of speeding 70 mph in a 55 mph zone. Pay \$10.00 fine and costs.

Andralette Felton was found in contempt of court and fined \$25.00.

Leon Douglas Webb was found guilty of reckless driving. 90 days suspended two years, fined \$150.00 and cost of court.

Walter W. Cartwright was found guilty of inspection violation. Fined cost of court.

Russell Beaver is new on Brian Center staff

Russell Beaver has joined the staff of Brian Center-Hertford. Beaver was named administrator of the facility recently, replacing J.M. Crawford who accepted a position in Georgia.

"I look forward to working with the people of Perquimans County and providing the best possible health care for our elderly," Beaver said of his move to the Hertford facility.

Beaver attended N.C. State University and graduated from Appalachian State University where he majored in health care management. He came to the Hertford operation from Meadowbrook Manor in Sparta. Prior to that appointment, Beaver managed Brian Center-Hickory and opened the Eden-ton operation for Brian Center.



Russell Beaver is the new administrator at Brian Center. Beaver says he is dedicated to offering quality care to all the residents who live there.

The 78-bed health care facility began operation in Perquimans County in the summer of 1988. Beaver acknowledged that the center has suffered from "growing pains," but said he and the staff are working together to provide quality care and programming for the residents.

"I am dedicated to continuing the fine work done by Mr. Crawford and will strive to see that these residents receive the care of a lifetime," Beaver said.

Beaver said of the area, "The people I've seen are the friendliest folks I have ever met."

Beaver's wife, Hope, is a social worker with the Grayson County, Virginia Department of Social Services. She will move to Perquimans County as soon as their Sparta home is sold.

Offices to close

The town of Hertford has announced that its offices will be closed on Monday, January 16 in observance of Martin Luther King, Jr.'s birthday. The town added the holiday to its schedule of holidays on Monday night.

There will be no trash or garbage collection on that date. Those areas scheduled for Monday pick-up will be serviced on Tuesday, along with the regular Tuesday schedule.

The town offices will re-open on a regular schedule on Tuesday.

School board votes to give band funds for trip to D.C.

The Perquimans County Board of Education voted to monetarily support the high school band's trip to the inaugural in Washington, D.C. after lengthy discussion Monday night.

Although it was the consensus of the board that they should support the band, the extent of its financial contribution was at issue.

PCHS principal William Byrum informed the board members that \$11,647.76 had been collected to date for the trip. These funds are from private donations, the county's \$5,000 contribution, the town of Hertford's \$2,000 gift and monies given by civic organizations.

According to cost estimates presented to the board by Band Boosters President Danny Privott, the trip will cost approximately \$16,976. This includes bus fare, motel costs and nine meals for each band member.

Donations have been made by U.S. Senator Jesse Helms and State Representatives Vernon James and Marc Basnight, who included congratulatory notes with their checks. Other pledges have been made, but are uncollected to date.

The board voted to give the band the funds needed to make up the difference between what they collect from all sources and the \$16,976 cost estimate, up to a limit of \$5,000. Board member Mack Nixon voted against the motion, as he felt the board should give the band \$5,000 and allow them to keep any monies collected over the amount necessary to fund the trip.

The board was generous in its praise for the band students, and the work of Band Director David Ziemba, Principal William Byrum and Band Boosters President Danny Privott. "I commend all of

you for what you've done...to organize this trip," Schools Superintendent Mary Jo Martin complimented the trio.

"I think the Perquimans County High School Marching Band is a credit to Perquimans County High School, to our county, and to the state of North Carolina," said board member Cliff Towe.

Board Chairman Clifford Winslow added, "I'm just looking forward to Perquimans County making a good showing in Washington." Winslow will make the trip to Washington to watch the band perform.

Dr. Martin will also travel to the inaugural in support of the band. "I'm very pleased as superintendent," she said.

Ziemba told the board that he views the trip as a great learning experience for the band, not only for the historic significance of touring Washington and attending the inaugural, but as a chance to see other top-rated bands from around the country perform.

Because the band will be gone during the time exams were originally scheduled, the board voted, upon the recommendation of Principal William Byrum, to delay the end of the first semester and the beginning of the second semester. Exams have been rescheduled for January 24, 25 and 26. Report cards will be issued on February 6.

BIDS OPENED

The board reviewed bids for a 6100 square foot storage facility to be constructed across the street from the bus garage. Bids ranged from a high of \$109,450 to a low bid of \$49,543.

The board specified in its advertisement that 10 percent bid bonds were to accompany the bids. Two of the four bids received had no bid

bonds attached. The board questioned the validity of the estimates to which no bid bonds were attached since the state requires that three bids be received before awarding a contract.

Dr. Martin consulted the state manual which cites guidelines for bid acceptance at the board's request. The manual stated that the non-conforming bids could be counted in the three-bid requirement, and that the board could lawfully reject all bids turned in with no bid bond, since such bids did not follow specification requirements stipulated by the board.

The contract was awarded to low-bidder Motteler Construction Company of Washington, N.C., contingent upon review of the specifications by County Maintenance Director Richard O'Neal.

PERSONNEL DECISIONS

Karen Whitley was hired as a fifth grade teacher at Perquimans Middle School. The employment of Mary White as second grade teacher assistant at Hertford Grammar School was approved.

Geraldine Coston was granted a leave of absence effective immediately due to pregnancy complications. Leave without pay was approved for Sandra Overton so that she can finish her university internship.

STUDENT TRANSFERS

A request from Joe and Sandra Byrum that Wendy and Jamie Hudson be allowed to continue to remain the Perquimans County School System was granted subject to the release of the students from the Chowan County School System.