

STAFF PHOTO BY DOUG RUTTER

Keeping An Eye On Things

Seated atop an old tire, a colorful kitten spent afternoon checking out activity at the docks in Curabash. Who knows? He may have been waiting for a fishing boat to deliver his next meal, fresh from the sea.

LELAND GETS BUSINESS AREA

Northern Towns End Dispute, Agree To Pay Own Legal Fees

BY SUSAN USHER

An expensive battle between Leland and Belville over rights to the Village Road business district appears to be over.

Belville Mayor Kenneth Messer confirmed Tuesday that the town is dropping its efforts to annex an area that includes Clairmont Plaza and Leland Shopping Center and adjacent property.

Belville had had 30 days in which to appeal award of the tract to Leland by Superior Court Judge Dexter Brooks in a judgment filed Jan. 19. That period ended Tuesday. In that judgment, Brooks also declared that Belville would be charged the costs of the legal action.

However, in exchange for Belville agreeing to drop pursuit of the annexation, Mayor Messer and Leland Mayor Russell Baldwin said Tuesday that the two towns have agreed to each pay their own costs so as to end the dispute and get on with business.

"It's not settled until after 5 p.m. today," Baldwin noted. "But assuming that it is, we've got our hands full trying to get organized. This has taken a lot of time."

Neither Messer nor Baldwin was sure how much the dispute has actually cost the respective towns.

Leland has not yet received a bill from the Raleigh law firm of Womble Carlyle, Sandridge & Rice. "It's going to be expensive, I know," said Baldwin, adding that the town hopes to get donations to offset some of the cost and will take the rest from its budget.

Leland's town attorney is A.A. Canoutas of Wilmington.

Belville, whose town attorney is Jim Smith, hired Wilmington attorney William O.J. Lynch as its counsel in the annexation dispute.

Belville first began considering the area in question for involuntary or voluntary annexation approximately a year ago in response to interest by some property owners and businesses in tapping on to a proposed sewer system and in obtaining the right to sell alcoholic beverages. At that time, Belville had an ABC system while unincorporated areas of the county were dry. Since then, in November, voters approved countywide alcohol sales.

Belville's interest helped to spark formation of the Leland Civic Association formed, with one of its goals incorporation of that community. Efforts to incorporate Leland had failed several times previously.

In a dispute peppered with debate over technicalities and procedural questions, Leland obtained legislation allowing it to hold a vote on incorporation last Sept. 12. Belville

reacted by adjusting its annexation schedule to allow the town board to vote on the matter the same day Leland voters went to the polls.

Belville voted to annex; Leland voted to incorporate. The new town and several property owners in the disputed area then sought a declaratory judgment interpreting the state legislation that had been passed to allow Leland to incorporate.

The legislation had said Leland could incorporate the business district if the area was not annexed "prior to" a favorable vote by residents of the area.

Belville's governing board adopted its annexation ordinance at 6:03 p.m. Sept. 12, before the polls in Leland closed but after residents had been voting throughout the day. Also, the board specified that the annexation would take effect at a later date, not as of the 12th.

Brooks ruled that the ordinance should have been both adopted and made effective no later than Sept. 11 in order to meet the legislative intent of "prior to".

While the town hopes to receive several donations to help pay its legal fees in the dispute, Baldwin said the town does have money in the bank. Leland received its first sales tax distribution check Friday for \$56,692.50.

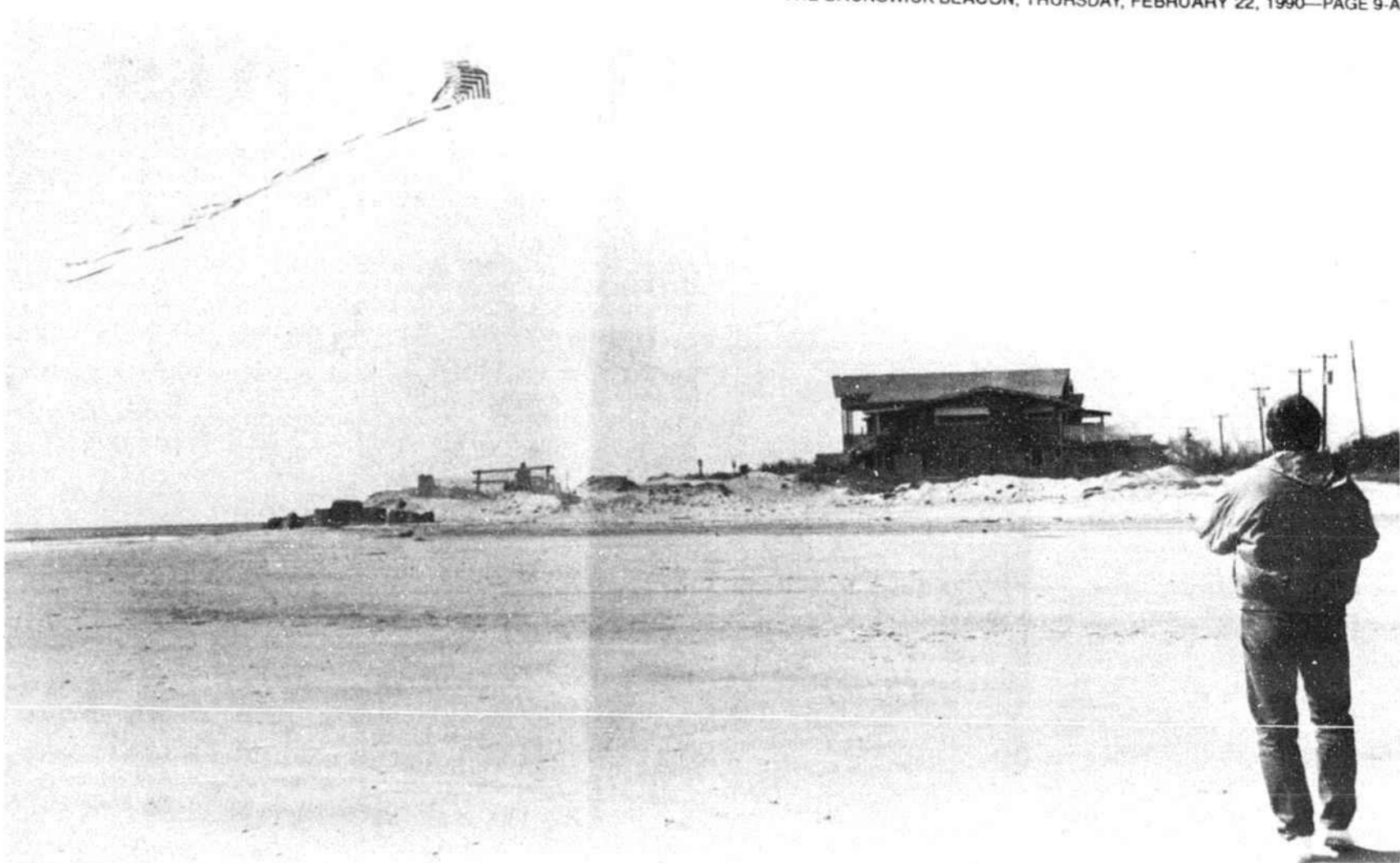
"It actually exceeded our expectations," said Baldwin. "We plan to spend it wisely and carefully. And, of course, we do have to pay our legal fees."

Tabby Cat Is 'Pet Of Week'

A female gray and white tabby cat is among the "Pets of the Week" up for adoption at the Brunswick County Animal Shelter, according to Supervisor Zelma Babson.

The domestic short-haired cat is two years old and has been spayed. Other available pets include a one-year-old, male mixed collie and a three-year-old, male pit bull.

Those animals and others can be seen Monday through Friday from 8 a.m. to 4:30 p.m. at the animal shelter off N.C. 211 south of Supply.



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It's A Breeze!

Mike Neely of Mocksville takes advantage of sunny skies and a steady breeze last week to fly a kite at the east end of Holden Beach.

Census Bureau Still Needs 575 Brunswick Applicants

The U.S. Census Bureau continues to have a difficult time finding enough Brunswick County applicants to work on the 1990 Census, according to assistant recruitment manager Lionel M. Whitney.

Some 575 local applicants are needed to work on two six- to eight-week census projects beginning in mid-March and mid-April, Whitney said. Workers will be paid \$6 per hour and be reimbursed 24 cents per mile for automobile expenses.

Applicants must pass a short written test and must be United States citizens. They should be at least 18 years old, although high school seniors who have a driver's license and car will be considered.

According to Whitney, applicant testing is underway at the following sites through March:

—Public Assembly Building, U.S. 17, Bolivia, Fridays at 1 p.m. and 3 p.m.

—Leland Sanitary District office, Navassa Road, Leland, Wednesdays at 10 a.m. and 12 noon.

—Boiling Spring Lakes Volunteer Fire Department, N.C. 87, Boiling Spring Lakes, Wednesdays at 7 p.m.

Results from the 1990 Census will be used to reapportion seats in the U.S. House of Representatives, state legislatures and many local governing bodies, according to the bureau.

Humane Society Slates Benefit

The Grand Strand Humane Society will hold its sixth annual benefit, "Puttin' On The Dog Fashion Show and Auction," Sunday, March 4, from 6 p.m. to 9:30 p.m., at the Myrtle Beach (S.C.) Hilton.

Admission price is a \$30 donation to the humane society. Proceeds from the event will go to help feed, shelter, spay/neuter, heal and help find homes for lost and stray animals brought to shelters in Horry County, S.C.

According to Co-chairmen Roz Burkart and Teresa Dew, the humane society hopes donations will exceed the \$12,000 raised by last year's fashion show and auction. The society is a major funding source for the county's two animal shelters.

The fashion show, sponsored by the Country Club Shoppe at Pine Lakes International Country Club, will center on the theme, "April In Paris." Tickets for the event are on sale in Horry County at the Country Club Shoppe, B. Redman Florist, Northside Pharmacy and both animal shelters. For more information, contact Burkart at (803) 272-6894.

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Tulsa Ballet Will Perform

Tickets for a March 15 performance of the Tulsa Ballet Theatre at Thalian Hall Center, Wilmington, are on sale at the center box office. The event—part of the center's two-week reopening celebration—is sponsored by the Arts Council of the Lower Cape Fear.

Tulsa Ballet Theatre is a professional classical ballet company with a national reputation secured by successful New York performances and a tour of the West Coast with Columbia Artists.

The ballet company's Wilmington performance will include the romantic *pas de deux* from the critically acclaimed revival of George Balanchine's "Mozart Violin Concerto."

The March 15 performance time is 8 p.m. Ticket prices are \$50 for patrons, and \$15, \$13 and \$11 for general seating. For more information, call the center box office at 763-3398.

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