



# THE NEWS RECORD

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## Probable Cause Found, Bond Denied

# Superior Court To Hear Johnson Murder Trial

By ROBERT KOENIG

Murder charges against Richard Johnson of Hot Springs will be heard in Madison County Superior Court, possibly during the September session.

District Court Judge Phillip Ginn sent the case on to Superior Court following a probable cause hearing Friday morning. Johnson, 37, is charged with murdering his five-year old daughter, Joyce Johnson.

District Attorney Tom Rusher called three witnesses to the stand during the probable cause hearing. Some 200 county residents, mostly from Hot Springs, crowded the courtroom to hear testimony from Dr. Tom Howell, emergency room physician at Memorial Mission Hospital in Asheville.

Dr. Howell testified that he treated Joyce Johnson when she was admitted on the morning of June 17. Howell told the court that he arrived at the hospital at 10 a.m. and began treating the child. The doctor said that he suspected the child was suffering from some form of poisoning based on her symptoms.

Howell said the child was "literally bubbling" with secretions from her nose and mouth. "I thought I could detect an odor such as malathion," Howell said. The doctor said the odor of the pesticide was also present when the child vomited during the rescue attempt.

Howell said the child was treated in the emergency room for three hours before being transferred to the intensive care unit where she died three days later. The doctor said he detected no movement or response from the child during treatment. "She appeared to be totally unresponsive," Howell said.

Asked by Rusher to give his opinion as to the cause of death, Howell said, "I believe the cause of death of this child was organophosphate poisoning." Howell also said that toxology tests revealed organophosphates in the child's system.

The doctor said that he and other physicians attending the child operated on the assumption that the poison was ingested orally. Howell said the absence of poison in the lungs indicated that the poison was taken by mouth.

Under cross-examination by Marshall attorney A.E. Leake, Howell said that the child had been admitted to the hospital on several previous occasions. Records indicated that the child was treated in the hospital's emergency room on June 15 for a urinary tract infection. She was also taken to the hospital on April 21 and April 23 of this year.

The prosecution also called Johnson's 11-year old son, Christopher Johnson, to testify. The boy was at home with his sister and father on June 17.

The young Johnson told the court that he saw his father give what he thought was medicine to his sister on June 17. The boy said the medicine came from a white bottle and told the court he thought it smelled like "bug poison."

The boy said his sister became ill within minutes of taking the medicine.

Under cross-examination, the young Johnson said that he wanted to go back and live with his father. The courts placed the boy in a foster home following the June 17 incident.

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RICHARD JOHNSON, left, is escorted from Madison County Court House Friday following probable cause and bond hearings in District Court. Johnson is escorted by deputy Clate Grindstaff.

## Report To The Commissioners

# Environment, Health Care Are Top Priorities For County

The environmental quality of Madison County is a significant economic and cultural asset. Many county residents maintain close ties to the land in keeping with the heritage of the area. Growth and economic development must occur within the bounds of appropriate use of lands in the county. The economic value of the County's natural resources cannot be developed to their full potential without a continuing emphasis on preserving the environmental values of these resources; therefore, the following actions are recommended.

Community understanding of the need for environmental protection is the critical first step in preserving environmental quality in the county. Population growth and development will pose greater threats to the county's natural resources in the future. Citizens must recognize the need for action before the efforts of the public and private sectors can be successful. Schools, community clubs and organizations such as the Girl Scouts and 4H groups are an effective vehicle for enhancing public awareness. Agencies such as Quality Forward have developed public education materials and programs. Efforts should also be made to promote greater participation in ongoing activities such as the annual Riverfest and organized stream clean-up projects.

The County Commissioners should encourage local community groups to organize Streamwatch projects with the objective of cleaning and protecting streams in each community. County organizations should support the State's efforts to control erosion problems and sedimentation of streams in the county. Citizens should be encouraged to report possible violations of the Sedimentation Pollution Control Act to state officials at the Asheville office of the Department of Natural Resources and Community Development.

The County Commissioners should proceed with the development of solid waste collection centers throughout the county. Community organizations could participate by assisting in landscaping-beautification of center locations. The County should ensure appropriate maintenance of these collection centers. The County Commissioners should adopt a strict anti-litter and dumping control ordinance and designate an appropriate staff person to be responsible for aggressive enforcement of such an ordinance.

The Council should aggressively enforce the environmental protection provisions of existing ordinances. An adequate staff level must be provided for this purpose. The County should investigate the feasibility of acquiring scenic river designation for a segment of the French Broad River. The County should attempt to involve community groups in maintaining the existing river access parks in the county. Facility improvements should be considered at those sites which are most heavily used. The Council should also study the potential for locating additional sites in the County as funding for such development can be secured.

The development of new and alternative energy sources has significant potential for stimulating economic development in Madison County. Efforts to strengthen energy self-sufficiency through more effective energy uses and the application of appropriate technologies will create both direct and indirect benefits to county residents. Commercial and industrial opportunities exist for the production and sale of energy-related products and services. Small scale applications could provide power for community facilities or a small industry.

The Planning Board and the French Broad Electric Membership Corporation should continue to promote public awareness of appropriate energy use and its link to community and economic development. The Planning Board and the EMC should encourage developers and community leaders to incorporate alternative energy technologies in the development of new facilities and community programs.

Madison County has made significant progress over the last decade in improving the availability of health care for its citizens. The Committee recognizes and commends the dedicated efforts of those individuals who have helped to make health care more accessible and affordable. In order to sustain this progress, the Committee has developed the following recommendations.

The County Health Department, the Hot Springs Health Program and other health care providers should continue to stress to the public the importance of each individual's responsibility for his/her own wellness. Preventive health practices should be encouraged on the part of both individuals and health care providers. Substance abuse should be an integral part of this health promotion effort.

The County Commission should continue to pursue an upgrading of the level of emergency medical services available to county residents. Communication equipment should be installed to enable EMS units to communicate with emergency room personnel at Memorial Mission Hospital in Asheville. Additional training for EMS personnel should be supported so that the County can obtain IV-level certification. The County Commission, the Planning Board and appropriate County departments should continue to develop coordinated strategies for dealing with potential disasters, such as flooding or toxic chemical spills. Once these strategies are completed, the responsible agencies should institute a public education program to make citizens aware of these plans.

## Rev. Lynch Retires

Retirement officially began on July 28 for Rev. and Mrs. William L. Lynch. After eight years and eight months at Antioch Baptist Church, near Barnardville, and a total of 60 years in the ministry, his last Sunday morning sermon entitled "Staying Power" illustrates their lives in a joint ministry and their commitment to God.

William L. and Nona Faye Lynch came to Antioch Baptist Church on Nov. 1, 1975 and their ministry there has been a successful one. Rev. Lynch was instrumental in having steps and walk concreted to the Fellowship Hall, the church baptistry was installed, the process of remodeling, paneling, and providing comfortable seating in the educational area was completed. In addition, remodeling of the pulpit and choir area were accomplished, carpet and cushions for pews in the sanctuary were purchased as were chairs for the communion table — all with his capable leadership.

The growth has not been all in structure. Through his ministry of love, many in the community have experienced



REV. WILLIAM LYNCH

## Stockton Named Fire Chief

# Ebbs Chapel VFD Elects Officers

The newly-formed Ebbs Chapel Volunteer Fire Department approved both a constitution and by-laws and articles of incorporation at a meeting of the company's board of directors Monday night. The board also approved a slate of officers and fire chief.

Bill Stockton was appointed the new company's fire chief. Stockton had earlier been selected by a vote of the membership.

Vernon Ponder was chosen to serve as the fire company's president. Bulow Carver was named vice president. Bobby Willis will serve as secretary and Lynda Jo English was chosen as the organization treasurer. Bill Ward was named to serve as reporter.

Ponder opened the meeting by announcing that the company had received a \$425,000 grant from the North Carolina General Assembly Speaker of the N.C. House Liston Ramsey presented a check to Ponder last week. The money will be used to purchase equipment for the county's newest fire company.

The company has also been deeded property for a fire house by the county commissioners and the Madison County Board of Education.

Ponder said that the company will soon be applying for a Z. Smith Reynolds Foundation grant of \$25,000.

Before electing officers, the board of directors considered articles incorporating the fire company and a constitution and by-law for the organization.

The Ebbs Chapel Volunteer Fire Department will serve Township 7, currently served by the Mars Hill VFD. The new company will provide fire protection for Foster Creek, Little Creek, Smith Creek, Panchon Fork, Upper Laurel, Wolf Laurel, Bear Branch and Laurel Valley.

The 22-member company has no equipment yet, but began fire fighting classes earlier this year. Additional training is scheduled, Stockton said. The Ebbs Chapel VFD is the newest of several fire companies begun in the county recently.

New companies have also been begun in Spring Creek and Laurel.

Members of the Ebbs Chapel VFD board of directors are Maynard Cody, Vernon Ponder, Walter Honeycutt, Wayne Riddle, Ron Martin, Freddie Wallin, Harold Tipton, Bulow Carver, Bill Stockton, Robert Ramsey, Bill Ward, Bobby Willis, and Lynda Jo English.

## Mars Hill VFD Receives \$15,000

Speaker of the N.C. House Liston B. Ramsey presented a check for \$15,000 to the Mars Hill Volunteer Fire Department last week. The funds were appropriated by the General Assembly during the recent short session.

The funds will be used to improve the company's back-up unit and purchase equipment for the rescue squad.



EBBS CHAPEL VFD officers, clockwise from left, are Bobby Willis, Bill Ward, Bill Stockton, Lynda Jo English, Bulow Carver and Vernon Ponder.

## Town Boards To Meet

The Boards of Aldermen of the towns of Marshall, Mars Hill and Hot Springs will hold their monthly meetings at 7:30 p.m. Monday in their respective Town Halls. The public is invited to attend.

The Madison County Board of Commissioners will meet at 7:30 p.m. Monday in the County Courthouse.