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Ex-Police Chief To Keep Certification

By BILL STUDENC
Editor

The N.C. Department of Justice will not revoke former Weaverville Police Chief Darrell Rathburn's certification as a law enforcement officer.

That's the ruling of the department's Criminal Justice Standards Division after an investigation into Rathburn's conviction on three misdemeanor offenses prior to his employment with the town of Weaverville in 1985.

The standards committee, in a quarterly meeting last Thursday at Southern Pines, discussed what action to take in regard to Rathburn's certification, said Scott Perry, deputy director of the N.C. Criminal Justice Standards Division.

"His case (Rathburn's) was one of the ones considered by the committee," Perry said Monday. "After considering all the information that had been gathered, they voted to take no action in terms of anything against his certification."

And that means the committee found no reason to revoke Rathburn's certification as a law enforcement officer.

"They considered the information that we were aware

of, they had it in front of them and they voted to take no action," Perry said.

"Basically, they felt he had been truthful in his application process," he said.

Rathburn, contacted Monday by The News Record, said that's what he's been saying all along.

"I had been honest about everything," Rathburn said. "Those problems were domestic-related and they happened before I became a law enforcement officer."

According to Buncombe County District Court records, Rathburn had been convicted of three misdemeanor charges between 1978 and 1980:

- Shooting a German shepherd dog and injuring it (charged Dec. 13, 1978). He was found guilty and received a four-month sentence and was suspended for one year.

- Disorderly conduct (charged March 20, 1979). He pleaded no contest.

- Assault with a deadly weapon (charged April 14, 1980). He was found guilty and received a two- to three-month sentence which was suspended for one year.

Anyone convicted of certain misdemeanors cannot be certified as a law enforcement officer, Perry said.

Search For New Chief Continues

Weaverville has been without a police chief for more than two months, but Town Manager Charles Horne says the town may have its new police chief as early as next week.

Horne and a specially assembled panel of law enforcement ex-

perts spent Tuesday and Wednesday interviewing six candidates for the job.

Those six are all that remain from a total of 22 applicants seeking the badge of Weaverville police chief.

Assisting Horne during the in-

terview process were Capt. Mike Berry, patrol supervisor with the Asheville Police Department, Bob Casler with the N.C. Attorney General's Office and David Warren, director of criminology at

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Schools To Spend \$18,675 To Meet State Fire Codes

By BILL STUDENC
Editor

It will cost the Madison County Board of Education \$18,675 to bring six county schools into compliance with a state fire inspection report.

The price tag for the repairs is not as high as it could be, however. School board members decided last week against a recommended project to install new partitions in the vocational education department at Madison High School. That work could cost up to \$750,000, school officials said.

The board unanimously agreed at its Nov. 2 meeting to spend an estimated \$18,675 on outside labor to complete the repairs called for in September by state fire inspectors.

School board members had in October instructed the principals of each school in the county to take whatever steps possible to correct potentially hazardous situations identified by state fire inspectors.

School officials said they would try to save money by having as much of the work as possible done by the school system's maintenance staff.

Robert L. Edwards, superintendent of schools, told the board last week that work crews had completed many of the needed renovations required by the fire inspectors, but were unable to do some of the larger jobs.

The board agreed last week, on a motion by Jewell Church, to approve the following repairs:

- \$10,425 for the construction of a maintenance building at Madison High School to store flammable materials.

- \$1,400 for the construction of a storage building at Hot Springs Elementary School.

- \$250 for a steel door at Hot Springs Elementary School.

- \$4,000 for the construction of a hood in the kitchen at Marshall Elementary School.

- \$1,400 for plaster and carpentry work at Spring Creek Elementary School.

- \$1,000 for electrical and carpentry work at Walnut Elementary School.

- \$200 for running additional electrical conduit at Marshall Primary School.

Fire inspectors had also recommended that the school system install new partitions in the vocational educational department. Partitions currently in place were installed by teachers in an attempt to separate the various vocational departments from one another.

Those partitions do not meet the state's fire codes, and must either be removed or replaced, Edwards said.

School board members said that the projected high cost of that work made it impossible to be done at this time, and agreed to have an architect study the vocational education department to determine the best solution to the problem.

In other action, the school board agreed that the Madison County school system should remain a plaintiff in a class-action lawsuit filed in Pennsylvania against several manufacturers of asbestos.

According to a letter from the N.C. Board of Education, read by county school board attorney Forrest Ball, Madison County - along with every school system in the nation - was made a plaintiff in the class-action lawsuit.

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BILL STUDENC PHOTO

Steady As She Goes

Workers struggle to bolt a bronze plaque weighing some 200 pounds to a rock monument on the lawn of Madison County Courthouse. The plaque, marking the route of the Dixie Highway, was removed during last year's extensive renovation project at the courthouse. From left to right are Dave Gross, Cecil McMahan and David McMahan, all of White Monument Works in Asheville.

Winter Weather Makes An Early Return To WNC

From Staff Reports

Old Man Winter paid a surprise visit to Western North Carolina Tuesday night, dusting the region with snow and sleet - and creating hazardous driving conditions for Wednesday morning motorists.

The N.C. Highway Patrol reported numerous traffic accidents Wednesday morning because of treacherous road conditions.

Bridges and overpasses were particularly slick Wednesday morning, the patrol reported.

U.S. 19-23 between Mars Hill and Asheville was a veritable obstacle course, with vehicles sliding all over ice-covered bridges. Morning

rush hour traffic was at a crawl as vehicles slowed to pass over the icy patches.

Schools were closed Wednesday - but because of Veteran's Day, and not the surprise dusting of snow and ice.

The unexpected snow resulted from a cold front that moved into WNC Tuesday night - a day earlier than predicted. The cold temperatures came on the heels of much needed rainfall, and turned the rain into snow and sleet.

Monday's rain did ease the threat of forest fires across WNC, which had become a tinderbox due to several months without significant rainfall.

Weaverville Fires Destroy Mobile Home, Construction Co.

From Staff Reports

The Weaverville Fire Department has been kept busy during the past week, as one fire left an elderly Weaverville couple homeless while another blaze caused some \$20,000 in damage to a construction company.

A Tuesday morning fire at Ponder and Associates Construction Co. on Monticello Road is still under investigation, said Weaverville Fire Chief John Penley.

Firefighters got the call at 8:04 a.m. Tuesday, and had the blaze under control within 20 minutes, Penley said.

"There was heavy fire damage to the basement of the building and to one office upstairs," he said. "There was also heavy heat and smoke damage through the rest of the building."

Penley estimated the damage to the building, owned by Leonard Ponder of Marshall, at \$20,000.

The cause of the fire is unknown and is under investigation by the Buncombe County Sheriff's Department and the Buncombe County Fire Investigation Support Team.

Penley said he could not comment on whether arson is suspected in the blaze.

No one was in the building at the time of the fire, and no injuries were reported.

Five engines and 19 firefighters responded to the call. The Barnardville Fire Department provided assistance, Penley said.

Tuesday's fire came after a Friday afternoon blaze destroyed a mobile home, a house and a woodshed owned by Mr. and Mrs. Fondly Jones of Green Ridge Road, Weaverville.

The couple escaped unharmed, said Penley.

"They were living in the mobile home and using the house for storage, plus a wood shed," Penley said. "All three structures are considered a total loss."

The fire began at about 3:15 p.m. Friday in the mobile home and spread to the house and shed, he said.

"We're not sure how it started," Penley said. "We think it started from a woodstove in the mobile home."

The fire spread quickly to the house, shed and two acres of nearby woodland.

"Real high winds caused it to get into the house," Penley said.

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Flat Creek Will Decide Council's Fate

From Staff Reports

The Buncombe County Board of Commissioners told a group of Flat Creek residents last week to decide for themselves whether the community should have a planning council.

Some members of the community had asked the commissioners last month to abolish the Flat Creek Community Planning Council after residents overwhelmingly rejected a

proposed land-use ordinance.

Opponents of the ordinance said that because there would be no zoning regulations in Flat Creek, thanks to the Oct. 17 defeat of the proposed ordinance, there was no longer a need for the planning council.

But Buncombe County commissioners told the group of council opponents to meet with members of the council and discuss their differences. Several commissioners said the

planning council should not be abolished because it will address other future issues which arise in the Flat Creek community.

Opponents of the council say they are not particularly pleased with the commissioners' action - or lack of action.

"If we want it taken care of, we'll have to have a township meeting and vote it out ourselves," said James Anglin, chairman of Flat Creek Con-

cerned Citizens and Landowners, the opposition group.

"I don't agree with that. They (commissioners) are the ones who put the council in place. They're the ones who put the first seven members on the council," Anglin said. "I feel it's their place to do away with the council, not to throw it back in our lap."

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Sheriff, County To Discuss Jail Funding Dilemma

By BILL STUDENC
Editor

Sheriff Dedrick Brown has backed off somewhat on his threat to sue the Madison County Board of Commissioners if he doesn't get additional funding to operate the county jail.

Brown said he wants to sit down one more time with the commissioners to discuss their differences on the amount of county funding allocated to the sheriff's department.

If those talks fail to result in some extra money to help the Madison County Jail meet state standards, Brown said he will have no choice but to file the lawsuit.

Brown said the county should not

discuss the sheriff's budget. Those meetings have failed to result in any agreement between Brown and county officials.

Brown says he needs another \$38,000 from the county to operate the Madison County Jail at minimum state standards, including 24-hour supervision of prisoners.

Commissioners, on the other hand, say that Brown is spending too much money, and say that they already gave Brown a lump sum money and let it up to him to decide how to spend it.

After an Oct. 5 meeting between the commissioners and the sheriff failed to produce any agreement, Brown said he may sue the county to get the full amount of money he needs to run the jail.

"We are definitely going to file a lawsuit," Brown said last month. "No doubt. No question."

But Brown is now saying he would like to meet one more time with commissioners to try to iron out their differences.

"I want to have another meeting and see what we can come up with," Brown said Monday. "I've not talked with the commissioners lately. I'm wanting to meet with them when I can have my attorney with me."

The Concerned Citizens Committee for Better Law Enforcement has hired an attorney to represent Brown in the event that his dispute with the county commissioners goes to the courts.

A meeting between Brown and the commissioners has not yet been scheduled.

Robert Capps, chairman of the Madison County Board of Commissioners, was out of town early this week and could not be reached for comment.

Commissioner Reese Steen said he thought another meeting with Brown would be a good idea.

"I had the another meeting with the sheriff would be in everybody's best interest - a meeting in which everybody comes open-minded so we can hash things out and do what's best for the county," Steen said Tuesday.

Larry Laska, county attorney, said

he has been contacted by the sheriff about another meeting with the commissioners.

"The sheriff has, in fact, relayed that request to me and I have, in fact, passed it on to the commissioners and the commissioners are, in fact, anxious to do the very best they can by the sheriff's department, and they feel they have done so, given their budgetary constraints," Laska said. "They want to explore every alternative."

A meeting has not yet been scheduled, however, because the commissioners will be meeting Friday with the Madison County School Board to determine the local school funding

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