

THE NEWS RECORD

SERVING THE PEOPLE OF MADISON COUNTY

On the Inside . . .

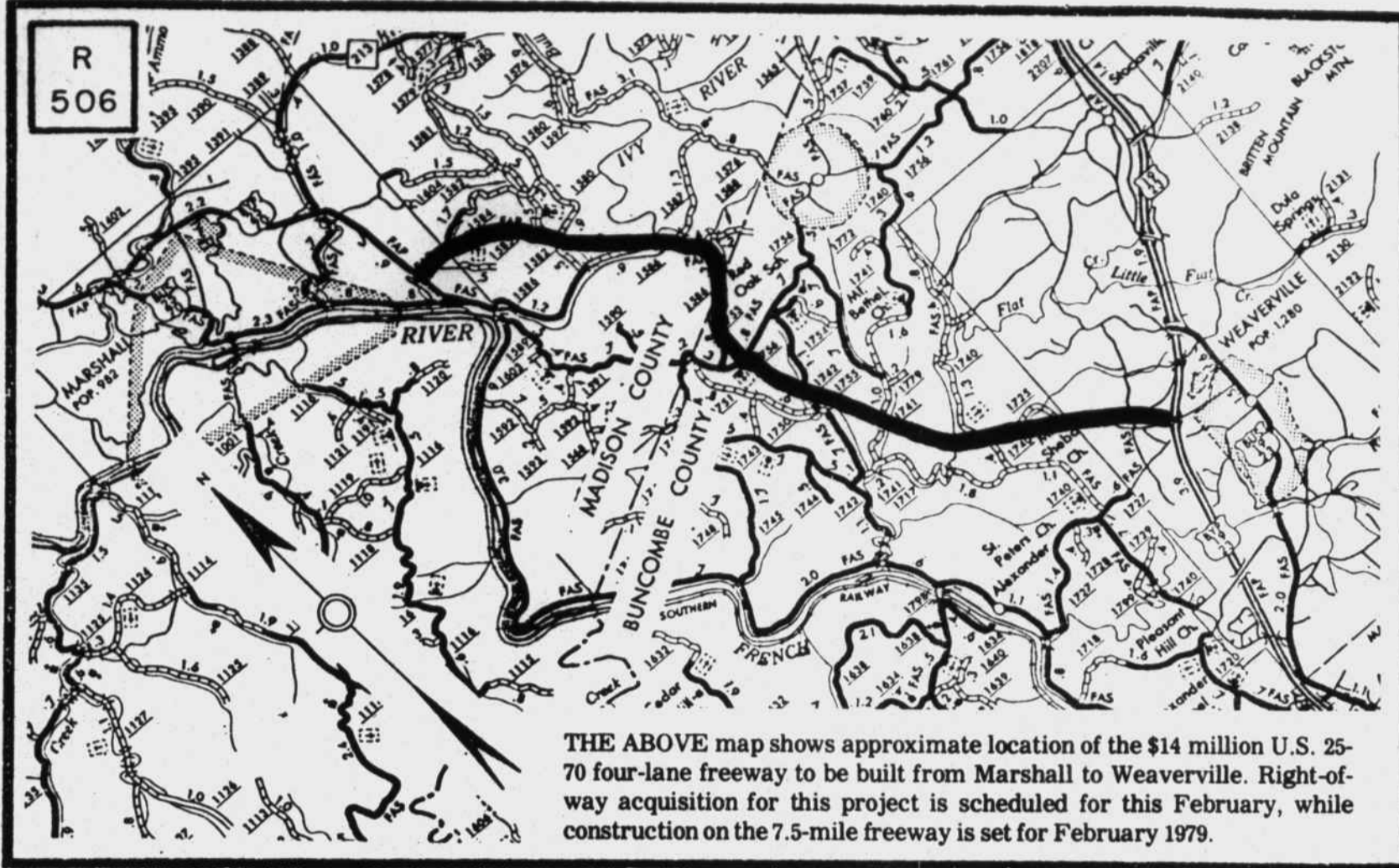
Who's happy
about the weather?
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77th Year, No. 5

PUBLISHED WEEKLY IN THE COUNTY SEAT AT MARSHALL, N.C.

THURSDAY, FEBRUARY 2, 1978

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THE ABOVE map shows approximate location of the \$14 million U.S. 25-70 four-lane freeway to be built from Marshall to Weaverville. Right-of-way acquisition for this project is scheduled for this February, while construction on the 7.5-mile freeway during the first week of eligibility.

High School Teacher Is Suspended

Don Fowler, a member of the Madison High School faculty, was suspended by the Madison County Board of Education at a called meeting of the board held Monday night in the courtroom here.

The action by the board followed an investigation ordered by the board at a previous meeting when it was alleged that Fowler had committed immoral conduct with a student. At the first meeting, the board went into executive session, and after hearing the complaints of a parent, ordered David Wyatt, principal, and Bruce Phillips, assistant principal, to investigate the charges and report back to the board.

At the meeting Monday night, attended by more than 50 persons, Don Anderson, a member of the board, moved that the board go into executive session to hear the findings of the investigations made by Wyatt and Phillips.

One irate person in the audience remarked bitterly, "Are you all going back to your little bedroom again? (Meaning the jury room where previous executive sessions had been held).

The board, along with Superintendent R.L. Edwards and Larry Leake, attorney to the board, left quietly to the jury room where they went into executive session at 7:30 p.m.

At 8:25 p.m. the board re-entered the courtroom, and Don Anderson explained the necessity of going into executive session, pointing out that they (the board) were under legal mandate and upheld by law to go into executive session to hear the findings. Anderson, however, stated that the decision of the

board would be announced in open session.

It was moved by Bobby Ponder, a member of the board, and seconded by Dedrick Cody, a member of the board, that the decision be announced.

Attorney Leake then read the following decision by the board which was unanimous:

"Whereas the Board of Education has been presented with information, which if true, causes it to believe that Don Fowler's performance at Madison High is inadequate due to his alleged immoral conduct and that therefore an emergency situation exists requiring that he be suspended from his duties. The superintendent is instructed to notify Mr. Fowler of the decision and of his rights under the law."

The meeting was then adjourned.

Attorney Leake and members of the board then explained to reporter that a private hearing would be held in the next few days by the board, provided Fowler requested a hearing, to reach a decision as to whether or not to terminate Fowler's services. It was further stated that should Fowler fail to request a hearing, he would automatically be suspended indefinitely.

When a member of the audience asked if Fowler, if found guilty, would be allowed to be transferred to some other school, Leake, speaking for the board, stated, "He will not be employed by this county..."

"The next step is to wait to see if Fowler requests a hearing," one member said.

Judge Howell Seeks Full 8-Year Term

On Jan. 28 resident Superior Court Judge Ronald W. Howell of Marshall made the following announcement.

"It was only Sunday, March 14, 1976, that I announced that

I would be a candidate for the resident Superior Court judgeship of the 24th Judicial District. The Democratic voters provided me with a wide margin of victory in the August primary. Although I was encouraged by some to accept the position immediately by seeking an appointment from Gov. Holshouser, as you know, I awaited the certification of the vote after the November election and took office in early December, only two days after taking my oath as an "elected" judge. Since that time, I have held court practically every week, with the first six months in Mecklenburg County and the last six months in the 24th District. I believe I have kept my pledge to be a "hard-working" judge, and I believe that the dockets have been decreased appreciably where I have held court.



FRANCELLA POSTON of Asheville has announced her candidacy for state Senate from the 26th Senatorial District composed of Buncombe, Madison, Yancey and McDowell counties. In announcing her candidacy she stated, "Since Western North Carolina is so far removed from Raleigh, good communication is necessary between a legislator and the people. I will have regular meetings in each county and will publish a newsletter about legislative concerns."

Charles C. Lamm Files For Judge

Charles C. Lamm, a Boone attorney, filed Monday for resident Superior Court judge



CHARLES C. LAMM

of the 24th Judicial District in the Democratic primary. The 24th Judicial District includes Avery, Madison, Mitchell, Watauga and Yancey counties.

In a statement, Lamm said that he felt he had the education, experience, competence and suitable temperament for the judiciary.

A graduate of Wake Forest University Law School, Lamm has been practicing law in Boone since his admission to the bar in 1969. In addition to his law degree, he has a bachelor of arts degree from Wake Forest.

Lamm is a member of the Watauga County, 24th District and North Carolina Bar Associations and the North Carolina State Bar. He resides with his wife, the former Jan E. Wise, in the Raven's Ridge Section of Watauga County.

in the council of state offices, "unexpired term" is used with respect to all vacancies and the Legislature put all vacancy provisions in the same statute without amending the Constitution relating to judges. Many have suggested that I take the necessary legal action to

Nell Franklin Wants School Board Seat

Nell C. Franklin of Route 3, Marshall, has filed as a candidate for board of education in District I.

Mrs. Franklin retired as a teacher in the Madison County public school system in 1974 after 41 years of teaching. She attended East Tennessee State University and Western Carolina University and holds a Class A certificate in elementary education.

establish my right to an eight-year term. However, after much thought, I have again decided to rely upon the Democrat party of the 24th District, and I hereby announce my candidacy for a full eight-year term. I filed officially with the State Board during the first week of eligibility.

It has been such a short time since I campaigned actively among Democrats. I hope most of you will remember my qualifications. And, I hope some of you may have had occasion to keep the brochure I sent you containing a picture and history of your courthouse. All of my training, experience, trial practice and degrees are set out in this brochure. I mention this because as a judge I am now holding court in Lincoln, Gaston and Cleveland counties and will be until July, and as a judge, I am not permitted the same latitude to campaign actively as I had before; I trust you will understand.

(Continued on Page 6)

Car Struck At Crossing Here Sunday

Gary Hensley of Marshall narrowly escaped injury early last Sunday morning when his car was struck at the crossing here by a train.

According to Carlie Gunter, Marshall policeman, who was on duty, Hensley approached the crossing just as the train was a short distance away. Gunter, who was on the bridge at the time, stated that the warning lights and bell were not working until the train reached the crossing. Hensley, who was alone, saw the train approaching and quickly put his car in reverse but was unable to get back far enough to avoid the collision. "If Hensley had not been able to back up a little he would have probably been killed," Gunter said.

The engine struck the front of Hensley's car which was heavily damaged.



EXTENSION AWARD — the Madison County staff of the Agricultural Extension Service has won a "performance award" for its work. Epsilon Sigma Phi, the professional extension fraternity, selects one county per district for the award each year. The selection is based upon the effectiveness of the total county staff. On hand to receive the award were, (seated), Mrs. Ethel Wallin,

home economics agent; Earle Wise, county extension chairman; Mrs. Dale Panaro, associate extension agent, 4-H. Standing: Gary Ealey, agricultural agent; Maurice McAllister, associate agricultural agent; and Wiley Duvall, agricultural agent. The award was presented at a district conference in Asheville. (N.C. State University Photo)

10 Cases Of Red Measles In County

Edward A. Morton, Madison County Health Administrator, reports that there are now 10 confirmed cases of Red Measles (Rubeola) in Madison County. The Madison County Schools System and Health Department have been working cooperatively examining school records to find children who have not had measles immunizations or were immunized before one year of age. Mr. Morton reports that after checking school records and health department records, over three-fourths of the school population have been adequately immunized. Only 23 percent of the school children show no documentation of measles immunizations. This percentage is expected to decrease even more with parents getting immunization records from private physicians to the school.

Parents of children who do not show proof of adequate immunization were notified Wednesday that they must keep their child out of school until they can present acceptable medical evidence of measles immunity to the school principal. This may be either a physician's statement

that the child has had the disease measles or a certificate of immunization.

Any child who has not been immunized against red measles or how was immunized before 12 months of age should be immunized. This applies not only to young children, but to teenagers as well — a group to whom measles is still a threat. Madison County Health Department will be providing measles immunization clinic from 8 a.m. to 4:30 p.m. throughout this week and next.

Bad Weather Extends Tax Listing

Tax listing in Madison County has been extended through Feb. 11, the tax supervisor stated this week. Weather and road conditions prompted the extension.

Elsewhere in this issue is an advertisement giving names of listers and dates for filing.

Candidates File For Local Offices

Those seeking nomination in the May 2 Primary elections have until next Monday at noon to file, it was announced this week by the Madison County Board of Elections.

The following candidates have filed for various offices during the past week:

Sheriff: Charles E. Carter, Beech Glen, Democrat; E.Y. Ponder, South Marshall, Democrat; Allen Silver, Grapevine, Republican.

Commissioners: Ervin Adams, Laurel, Democrat; Carolyn T. Ammons, Mars Hill, Democrat; Virginia H. Anderson, Hot Springs, Democrat; J.G. Gardner,

Beech Glen, Democrat; James T. Ledford, Mars Hill, Democrat.

Board of Education: (District I): Donald N. Anderson, Beech Glen, Democrat; Dedrick C. Cody, Edds Chapel, Democrat; Gerald Young, Beech Glen, Democrat.

Board of Education (District II): Nell C. Franklin, Laurel, Democrat.

Tax Collector: Dean Ledford, Beech Glen, Democrat.

A complete list of candidates will be published in next week's issue following the filing deadline next Monday at noon.