

## Community Calendar

### Community Watch Meeting Set For Hot Springs On Jan. 28

The Hot Springs Police Dept. will hold a public meeting on Jan. 28 at 7 p.m. in the Community Center to discuss plans for starting a Community Watch program. Deputy John Heatherly of the Buncombe County Sheriff's Dept. will attend and provide information on how the program should operate. All Hot Springs residents are encouraged to attend.

### Weaverville Council Meets Monday

The Weaverville Town Council will hold its monthly meeting on Jan. 20 at 7 p.m. in the Town Hall on Main Street. All Weaverville residents are invited to attend.

### Lions Host Owls Tonight

The Mars Hill College Lions will host Warren Wilson College in basketball action tonight at Chambers Gym. Tipoff is scheduled for 7:30 p.m.

## Countywide Toll-Free Telephone Service To Begin Feb. 1

Madison County telephone customers will begin enjoying toll-free countywide service beginning on Feb. 1 when Contel completes connections on new digital switching equipment in the Hot Springs area. Weaverville customers will receive toll-free service in Buncombe County beginning on Jan. 25. Private line customers in Madison County will see their monthly bills increase by 35 cents with the introduction of countywide toll-free service. In Weaverville, customers will see residential service charges increase by 25 cents. Completion of the digital equipment installation is the final step in connecting the three Madison County exchanges. Earlier, digital switching equipment was installed in the Mar-

shall, Mars Hill and Weaverville areas. With completion of the work, Hot Springs customers will be able to order the latest innovations in telephone service according to Contel vice president. These innovations, already available to Contel customers in Marshall and Mars Hill, include Touch-Tone service, speed calling, call waiting and conference calling. In announcing the commencement of toll-free service, Contel VP Turner Rogers had other good news for county telephone users. Rogers told The News Record, "If long distance charges aren't severely increased, we (Contel) would not anticipate seeking a rate increase until late 1987 or early 1988."

## Marshall Buys Two Patrol Cars

By ANDREW FULLER  
The Marshall Board of Aldermen held their first meeting of the year on Monday night. Cecilia Ward, the town's budget consultant, presented some good financial news. She told the aldermen that the town is operating well within its budget for the 1985-86 fiscal year. In closing her financial report, Ward again brought problems with the town's water system to the board's attention. She said that the water system has pumped approximately 10 million gallons of water that have not been accounted for each month. The town billed customers for approximately two million gallons of water. The excess unaccounted-for water is costing the town for utility charges to pump water. The town recently purchased two cars from the State Highway Patrol

for the police department at a cost of \$5,500 each. The town had earlier received a state grant of \$10,000 to purchase a new patrol car. Former Mayor Betty Wild criticized the purchase during Monday's meeting, saying, "I just think it's about time the people of Marshall had something new." Before leaving office in December, the former mayor ordered a new car without consulting members of the town board. Shortly after taking office, Mayor Anita Ward cancelled the order for the new car. Sam Parker, director of the Madison County Housing Authority (MCHA) presented information on the Community Development Block Grants (CDBG) that Marshall currently has. Before May 1, Marshall must spend 60 percent of a 1984 grant before the town can apply to the N.C.

The Madison County grand jury has called for an investigation of County Commissioner James Ledford's business transactions with county agencies. The panel returned a bill of presentment to District Attorney Tom Rusher on Monday. The bill of presentment is not an indictment, but rather instructs the DA to look into the possibility that Ledford may have violated state law regarding conflict of interest.

Audits of the county finances have revealed that the Madison County Transportation Authority and Emergency Medical Service have purchased goods and services from three Mars Hill Exxon stations

operated by the chairman of the county commission. State law limits the amount of business a public official can conduct with government agencies to \$5,000 per year. The annual audit report indicates that the \$5,000 limit was exceeded in each of the past two fiscal years.

Assistant District Attorney Gerald Wilson will co-ordinate the investigation. The state statute which may have been violated is a misdemeanor offense.

Ten new members of the 18-member county grand jury were sworn in on Monday by Superior Court Judge Marvin Gray at the opening of a brief session of Superior Court conducted at Madison H.S.

In addition to the bill of presentment, the grand jury also indicted 14 people. Those indicted include:

Ricky Honeycutt, charged with breaking, entering and larceny;  
Dillard A. Gentry, charged with manufacturing a controlled substance;

Jeffrey L. Johnson, charged with manufacturing a controlled substance;

Billy W. Anderson, charged with manufacturing a controlled substance;

Carl Carter, charged with breaking and entering and assault with a deadly weapon inflicting serious injury;

Ronald L. McKinney, charged with breaking, entering and larceny;

Darrell Justice, charged with forgery and false pretense;

Debbie Cutshall, charged with conspiracy and accessory before the fact of breaking, entering and larceny;

Brenda Henderson, charged with two counts of forgery and a single count of assault with a deadly weapon inflicting serious injury;

Rusty Clontz, charged with possession of stolen property;

Mr. and Mrs. Tony Fore, both charged with assault with a deadly weapon inflicting serious injury and;

Norman P. Jamerson, charged with unlawful burning and two counts of breaking, entering and larceny.

## Incumbents File For Re-Election County Commissioners, School Board Members Enter Democratic Primary

The field in the upcoming county elections became more crowded this week as all three county commissioners and the five current Board of Education members all filed for re-elections.

County commissioners James T. Ledford, Ervin Adams and Virginia Anderson all filed with the Madison County Board of Elections on Jan. 8. Later the same day, school board members Robert Z. "Bobby" Ponder, Ed Gentry, Floyd Wallin, Gerald Young and Frederick Anderson entered the Democratic primary following the monthly meeting of the board.

Earlier, Clerk of Superior Court James W. Cody filed for re-election. Madison County Tax Collector Harold Wallin will also seek re-election in the May primary. Both Cody and Wallin are unopposed as we go to press. The

filing period will continue until Feb. 3 at noon.

In the races for state offices, both incumbents Charles Beall of Clyde and Speaker of the House Liston B. Ramsey of Marshall have filed for re-election. Beall filed his application with the Haywood County Board of Elections.

In the Democratic school board races, District I members Young and Anderson are unopposed at press time. Don Massey has filed for election to one of the three seats held in District II.

Among Republicans, only Dewey Griffey Jr. filed this past week. Griffey entered the race for a District II seat on the Board of Education. Earlier, James Dedrick Brown entered the race for sheriff and both Joe Fowler and Bob Phillips filed to enter the county commission race.



R.Z. "Bobby" PONDER



HAROLD WALLIN

### Commissioners Are Told

## Courtroom Repair May Take Months

Repairs to the Madison County Court House may take several months, forcing the closing of the courtroom until sometime in May. That was the news Mars Hill architect Wayne Roberts presented to the Madison County commissioners during their monthly meeting on Jan. 6.

Roberts is the architect supervising the construction project to replace the roof on the 80-year old courthouse. The commissioners approved a contract with Woodard and Roberts for design work on the project.

Roberts told the commissioners that they faced three options regarding replacement of the roof and cupola housing the clock. The cupola

can be removed and replaced with a lightweight replica, or it may be repaired and replaced following installation of the new roof.

County attorney Larry Leake pressed Roberts for an estimated completion date on the project, saying it was essential for the county to have a courtroom available by April 1.

Roberts told Leake and the commissioners, "I don't think there's any way we can guarantee it will be finished by April 1. You might find a contractor who will, but you'll have to pay."

Leake said the county will have to

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ZENO PONDER

## Ponder Blasts Brewer

By ROBERT KOENIG

Saying that federal prosecutors had failed to prove their case, U.S. District Court Judge Woodrow Jones dismissed 15 counts of mail fraud against Zeno Ponder, his wife, Marie, nephew Leonard Ponder and business associate Marshall Kanner last Wednesday. Judge Jones' decision came following two days of testimony in Federal Court in Asheville.

Attorneys for Ponder and the other defendants asked Judge Jones to dismiss the charges at the conclusion of the prosecution's evidence in the case. Prior to the judge's decision, prosecutors voluntarily dismissed two additional counts of mail fraud against the four defendants.

Judge Jones said that federal prosecutors had failed to establish that the use of the U.S. Mail was an integral part of a scheme to defraud both the state and Madison County landowners. Jones said that the federal mail fraud law, originally passed in 1872, was designed to protect consumers from unscrupulous salesmen using the mails.

Without commenting on whether a fraud had actually been committed, Jones said that the use of the mails in the Ponder case was incidental, and not a necessary element in carrying

out a scheme to defraud. "This evidence falls far short of proving that," Jones said. "The mails were used, but they were incidental to carrying out the transactions."

Judge Jones went on to say that "I think whatever happened here may have been fraud, but I don't think Mr. and Mrs. Davis have a case. The amount paid for the land was all they expected."

Although dismissing the remaining charges, Jones said, "The conduct of a state official is certainly in question here, but I don't ride herd on state officials."

Immediately following the dismissal, U.S. Attorney Charles Brewer told reporters, "I'm disappointed in the decision, but I won't argue the wisdom of the court." Brewer went on to say that he would submit evidence he has obtained in the case to state investigators. A 1984 investigation of Ponder's role in the land purchases cleared him of wrongdoing.

A jubilant Ponder met with reporters on the courthouse steps following the trial. Ponder told newsmen, "I hope you'll go back and make sure my dismissal receives as much publicity as the indictment. I'm counting on you to help clear