

# The NEWS RECORD

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## Vote Probe Comes To Madison

By BILL STUDENC  
Editor

Federal agents have subpoenaed voting records from Madison County as a part of a four-year investigation into voting irregularities in Western North Carolina.

Those records, including absentee voting records from the May primary and the November election, are being examined by a federal grand jury meeting this week in Charlotte.

The grand jury's three-day session was expected to end late Wednesday.

U.S. Attorney Charles Brewer would not confirm Tuesday that the grand jury was examining Madison records. But county election officials confirmed that voting records have been subpoenaed by federal agents.

Brewer did say he expected at least

one new vote-related indictment to be issued after the grand jury adjourns. He would not say if that indictment would result from the newly subpoenaed records, or from records subpoenaed earlier in the investigation.

Authorities also subpoenaed absentee ballots, poll books and ballot envelopes for the 1986 primary and general election in Transylvania County.

The federal investigation in Madison County is in addition to a State Bureau of Investigation probe into possible voting irregularities.

That state investigation continued this week, as several SBI agents looked at precinct books and obtained names and addresses from Madison County election officials.

SBI agents came to Madison about two weeks prior to the Nov. 4 election, and those agents have yet to complete their work.

William Powell, chairman of the Madison County Board of Elections, requested the SBI investigation, but said he was surprised to learn that federal authorities were also interested in the Madison election.

Powell turned over the requested records to a Federal Bureau of Investigation agent after the Nov. 6 canvass.

"The same day as the canvass, a federal agent was out here and he served me with a subpoena to bring all of the absentee records for the primary and the general election to Charlotte," Powell said. "I just turned them over to the FBI agent on Nov.

brings to nine the total number of WNC counties touched by Project WestVote, a federal investigation into voting irregularities in the mountains of WNC.

Voting records from Alexander, Avery, Cherokee, Clay, Graham, Swain and Yancey counties have also been examined by federal investigators during Project WestVote.

Several WNC officials have been indicted on charges of vote-buying as a result of the on-going investigation, and a number of voters charged with vote-selling.

A total of 40 indictments have resulted from the project, making it the most extensive FBI investigation ever conducted in WNC.

Powell said he would not be surprised to see indictments handed down

from both the federal and state in-6."

The federal investigation in Madison and Transylvania counties investigations.

"I expect some indictments," he said. "I don't know, though, how far along they (federal officials) have gotten with the records, because they've not contacted any of us about those records."

Federal agents last year investigated voting records at Hot Springs, Powell said.

"They could have something besides the formal records, like allegations," he said. "They've been very tight-lipped about the whole thing."

Brewer said he could not legally reveal what a federal grand jury was

examining, but he did say that local election officials are free to discuss subpoenaed records.

"We do have some complaints from the 1986 election, but I cannot name what counties," Brewer said.

Yancey County elections are also under federal investigation, and three Yancey Democrats have already been indicted on vote fraud charges stemming from the 1982 election.

Brewer has said he would seek at least one more indictment in Yancey County this week.

When the SBI agents complete their investigation, they will file a report with 24th Judicial District Attorney Tom Rusher, who along with Powell requested the investigation.

## Disagreements Surface At 1st Board Meeting

By BILL STUDENC  
Editor

The latest edition of the Madison County Board of Commissioners went straight to work after being sworn in Monday, appointing a board chairman, approving a new meeting schedule and shuffling its line-up of employees.

Despite opening-day pledges of unity and cooperation, the new county commissioners found themselves split on a number of issues that arose during their inaugural meeting.

Things did begin smoothly for the new board, as the commissioners elected Robert Capps, top vote-getter in the Nov. 4 balloting, as the board chairman.

Commissioner John A. Hensley nominated Capps for chairman, and Commissioner Reese Steen seconded the motion.

"I'll second the nomination to show we need to work together as a unified group for the betterment of the county," Steen said. "I want to show my commitment to work with these gentlemen."

Capps accepted the chairmanship, saying "I appreciate that you gentlemen have that much confidence in me. I want to work with you in every way I can to make Madison County a better county."

That spirit of cooperation, however, was short-lived - at least during Monday's meeting.

Capps, after being appointed chairman, nominated Hensley for vice-chairman. That prompted Steen to ask county attorney Larry Leake if the board chairman can make such nominations.

Leake told Steen that the chairman could have whatever authority given him by the board.

Hensley then made a motion that the chairman be allowed to make motions and nominations. Capps seconded the motion.

Both Capps and Hensley voted in favor of the motion, while Steen abstained - the first of many abstentions Monday.

Capps then nominated Hensley for the vice-chairman's spot, and Hensley seconded. Again, Steen abstained during the vote.

That set the stage for a lively debate over when the board should hold its meetings, which have begun at 1 p.m. on the first Monday of the month. Steen made a motion that meetings be held at night, but the motion died for lack of a second.

"All three of us have gone on record saying we would support meetings at night to give the people that work a chance to participate in county government and to give the people a chance to feel that they are a part of county government without having to miss work," Steen said in making the motion.

Steen said the commissioners should set one meeting time - at night - "to erase a lot of the confusion."

He suggested the board meet on the first Monday of the month at 7 p.m.

Capps said he agreed with the idea of having night meetings, but not right away.

"I think we ought to have the first couple (of meetings) during the day until we get established, and then go

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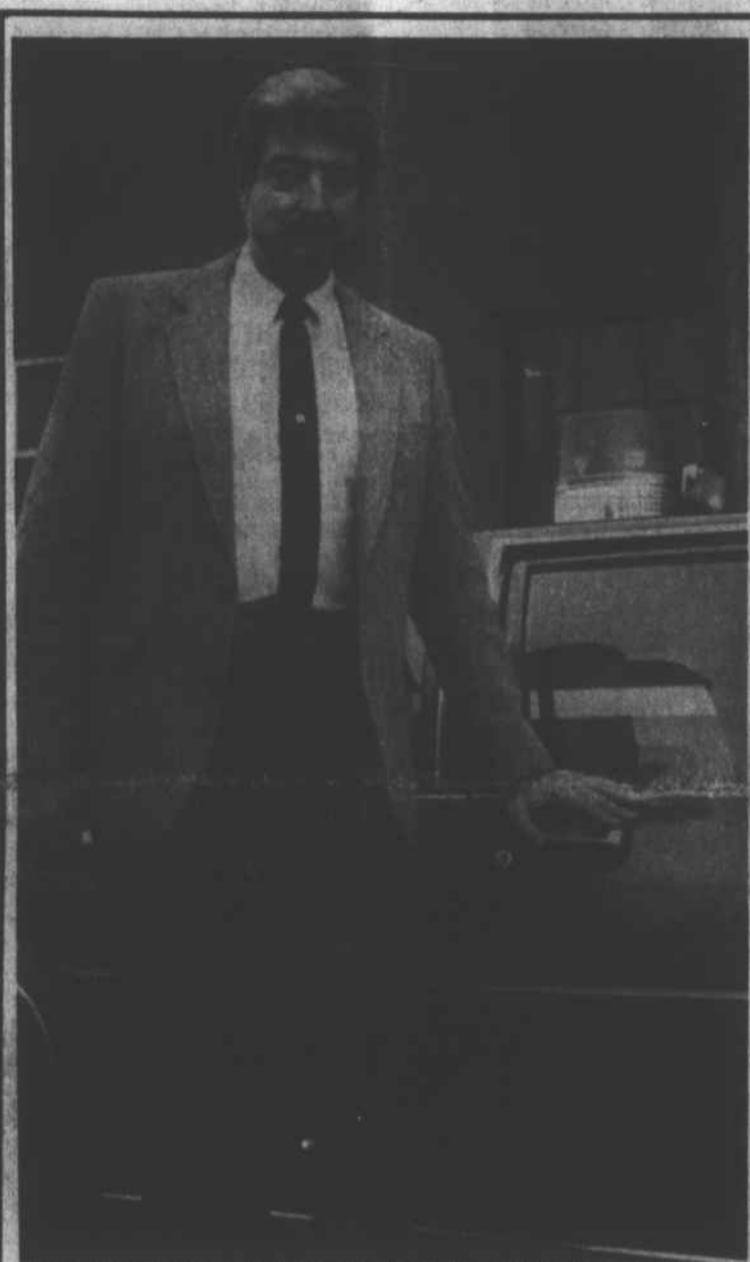


Photo by Bill Studenc

## An Arresting Idea

New Madison County Sheriff Dedrick Brown stands beside one of the two new patrol cars he purchased for his deputies. Brown obtained the vehicles, the first marked patrol cars in Madison County, from the N.C. Highway Patrol.

## Fight Brews Over Home For Retarded

By ANNE KITCHELL  
Staff Writer

Nearly 70 Weaverville area residents met Monday evening to plan opposition strategy to a Blue Ridge Mental Health proposal for annexation of a site for a facility for the mentally retarded.

A public hearing on the issue is scheduled for Monday at 7 p.m.

Residents cited safety concerns and declining property values as their primary reasons for opposition.

The community meeting was organized in response to Blue Ridge Mental Health's proposal for annexation of a two-acre tract along Reems Creek and Dogwood Drive so that town sewer and water service would be available to a planned intermediate care facility for the retarded. The proposal was brought before the Weaverville Town Council on Nov. 17.

Blue Ridge Mental Health Director Larry Thompson attended the meeting to address questions and concerns of the group. Thompson said there is a need for this type of long-range residential facility in north Buncombe County. The proposed project came in response to parents of mentally retarded who are worried about their children's housing when the family can no longer care for them.

Area residents near the proposed site said that although residential housing for the mentally retarded may help the handicapped, if the annexation is approved, the town will be handicapping area homeowners.

"We've worked hard for what we have and this will destroy everything we've built," said one man.

"This type of facility will lower our property values," said another man. "Don't let anyone tell it won't."

One woman characterized her attitude about the facility as a moral dilemma.

"On the one hand the retarded need a residential setting, but on the other, I have to think about getting all we can out of our home."

Along with concerns over property values was concern for the safety of the area residents. One community member asked Thompson if he could guarantee that no facility residents would be wandering off the grounds. Thompson said he could not guarantee that, but said the residents would be fully supervised 24 hours a day.

Many of the area residents agreed with the need for this type of facility, but questioned the Dogwood site as the best location.

"There must 100 children in this area alone. We have to worry about their safety first. They are our priority," said one man.

Another woman added, "I've got two children and I don't want you there."

Community organizers suggested the best way to let the town council know how they feel would be to contact as many area townspeople as possible and have them come to the public hearing. Petitions are being

-Continued on back page

## Community Calendar

### Weaverville Parade Set

The town of Weaverville will hold its first Christmas parade on Saturday beginning at 2 p.m. The parade will begin at the Tri City Plaza and end at the Weaverville Middle School.

### Hot Springs Ready For Parade

The town of Hot Springs will sponsor its first Christmas parade on Dec. 13, beginning at 2 p.m. For more information on entering the parade, call 622-3227.

### Benefit Basketball Game Planned

The Marshall and Walnut Boosters clubs are challenging each other in a benefit basketball game Saturday at 7 p.m. in the Marshall Elementary School gym. Admission will be \$1.

### School Board To Meet

The Madison County Board of Education will meet at 10 a.m. Wednesday.

## SBI Investigates Suspected Arson

By BILL STUDENC  
Editor

State investigators have been called in to determine if arson is to blame for a Saturday night fire that destroyed a trailer owned by the parents of a child involved in a Madison County sexual abuse case.

Arson is suspected in the blaze at a Mashburn Hill Road mobile home because no one was living in the trailer at the time, and because there was no electricity at the home, authorities said.

"The people said that no one had lived in the trailer for two or three months and that all the power was cut off," said Jimmy Ramsey, Marshall fire chief. "If there's no one living there and no power, something had to have happened."

No one was injured in the fire, which "totally destroyed the trailer," Ramsey said.

Fire officials say the fire took about 15 minutes to bring under control.

The trailer was owned by Robert and Nancy Burgess, Ramsey said.

Neighbors living near the trailer reported hearing an explosion at about 2 p.m. Saturday. Then the trailer burst into flames, Ramsey said.

Madison County's then-Sheriff E.V. Pender, at the request of the Burgess family, called the State Bureau of In-

vestigation to determine if arson was the cause of the blaze.

Arson investigator Steve G. Reed visited the scene of the fire Sunday morning, gathering debris samples and other physical evidence, said Bill Matthews, assistant director of the SBI's office in Asheville.

That evidence is now being analyzed at a SBI laboratory, Matthews said.

"We are still investigating and in-

terviewing," he said. "It should be two or three weeks before we know for sure (if arson was involved in the fire)."

Reed was scheduled to meet with new Madison County Sheriff Dedrick Brown on Wednesday to discuss the case, Brown said.

The Burgess' young daughter is one of seven children allegedly molested while en route from a Madison County day care center

earlier this year.

According to reports, the Burgess family had received several indirect threats to stop asking authorities for an investigation of the alleged incidents.

The Burgess trailer is located between mobile homes owned by two uncles of the Marshall man charged with first-degree sexual offense and taking incident liberties with minors.

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## Meeting To Address Landfill

By BILL STUDENC  
Editor

A group of Madison County residents will meet Monday with local and regional officials to discuss what to do about the county's landfill, which is rapidly approaching capacity.

The meeting, to be held at 7 p.m. in the Marshall Senior Citizens Center, comes as the Madison County Board of Commissioners agreed this week to urge town officials of the problem.

"We will be running out of landfill space in the near future," said Jim Brown, director of the county landfill.

"Our biggest concern right now is getting the county's landfill site."

The Madison County Landfill may

be at capacity by April, Brown told the commissioners.

State officials have turned down several areas in the county selected as potential landfill sites, he said. "It may be real difficult to find a site the state will approve."

Larry Leake, county attorney, pointed out to the commissioners that counties are not obligated by law to operate landfills. "Towns are," Leake said.

County officials could give Hot Springs, Mars Hill and Marshall 30 days notice that the county will no longer operate a landfill, and the towns would have to, by law, find their own method of disposing of garbage, Leake said.

And the commissioners agreed Monday to give town officials notice now that the end of county landfill operations is a very real possibility.

"We are on the verge of being out of room for a landfill," said Robert Capps, chairman of the board of commissioners.

"We need to write letters to each town and advise them of our plan to shut down the landfill and let them know that, as of April, we possibly may have no room for garbage," Capps said.

The Land-use-by-Region Commission, which is studying the county's land use, also has a report on the landfill problem.