

## Commission To Look At Madison Audit

By BILL STUDENC  
Editor

District Attorney J. Thomas Rusher has asked the N.C. Local Government Commission to look over an audit report of past Madison County finances outlining questionable business practices.

Rusher said Tuesday that he has asked for the commission's input before he decides whether a criminal investigation of former Madison County commissioners and their employees is warranted.

"Everything that an auditor reports would not necessarily be criminal," Rusher said. "It could be what he views as improper accounting techniques or a violation of county policy."

The Asheville accountant who in January informed the current

Madison County Board of Commissioners of past questionable financial practices told the board that some of those problems appeared to be a violation of county policy, he said.

"Then, there is a possibility of an outright criminal action," said Rusher, district attorney for the 24th Judicial District. "What would tend to make it criminal is if there is an intentional act that enriches a person."

Rusher wants the Local Government Commission's input before he determines whether the audit report reveals any possible criminal activity.

"I would like to have the benefit of their wisdom. They are supposed to be experts in this area. I'm not. These are matters that are difficult for me to deal with initially," he said.

When the commission completes its

review of the audit report - probably within the week - Rusher may discuss the commission's findings with the Madison commissioners before deciding how to proceed.

"I'm not yet sure we're going to call for a criminal investigation. I'm not yet sure what course of action we're ultimately going to take," he said.

"Obviously, the commissioners are concerned. Having read it, I can understand the concern they're showing," Rusher said.

Rusher has sent the audit report to the Local Government Commission after receiving a letter from Madison County Commissioner Reese Steen asking that he investigate anything in Madison which may be illegal.

The commissioners, in February, agreed to send the controversial audit

report to Rusher, but did not specifically call for an investigation of former county officials and employees.

Rusher said in March that it has been his policy not to investigate governmental matters unless requested by local officials to do so.

Steen, earlier this month, drafted a carefully worded letter to Rusher requesting an investigation of any potentially illegal activity by public officials or employees in Madison.

The letter did not specifically call for an investigation of the audit report, but did ask Rusher to investigate anything, which in his trained opinion, may violate the law.

The audit report, delivered to the commissioners Jan. 12 by Roger Gregg of Gregg & Lasher, PA, outlined a number of discrepancies in the

records of county finances during the last year of office of the former commissioners.

Gregg said there was "a significant increase" in mileage and expense checks written to former commissioners following their defeat in the May 1986 primary and before they left office Dec. 1.

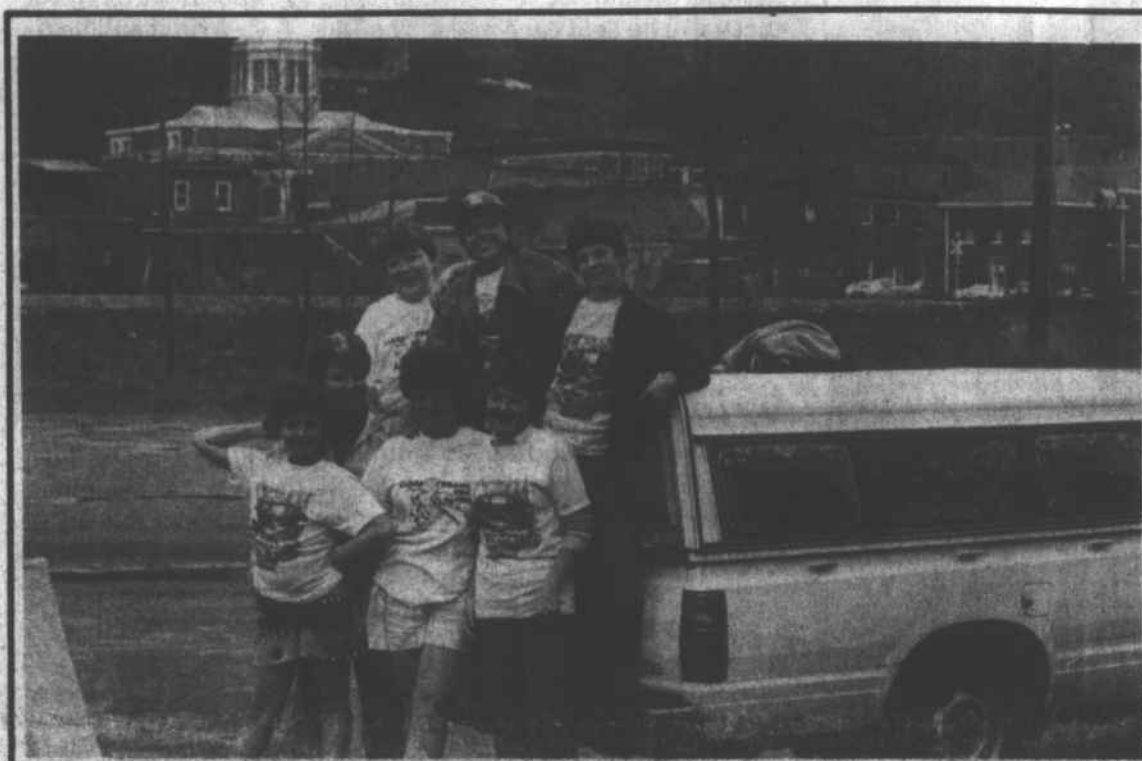
Also among the questioned transactions were checks written to county employees for thousands of dollars in vacation, sick and holiday pay.

The report also listed a number of violations of standard accounting techniques.

"There are certain concerns about the report," Rusher said. "It certainly points out violations of county policy and violations of accounting procedures and possibly criminal activity."



J. Thomas Rusher  
... district attorney



LOU ZELLER PHOTO

### Cleaning Up

Members of the Marshall Cloggers and Marshall 4-H Club take a break Saturday during Clean Streams Day. This group concentrated on the Blannerhasset Island area of the French Broad River. Rains and swollen streams hampered cleanup efforts

in certain areas, but organizers say that some groups have rescheduled their cleanup days. Clean Streams Day organizers are now tallying up the number of participants and number of miles of streams cleaned in the fourth annual effort.

## Police, County Sheriffs Move Toward Cooperation

### Marshall Officers Agree To Patrol On Bypass

By BILL STUDENC  
Editor

In response to complaints from the Madison County Sheriff's Department, police officers for the town of Marshall will begin patrolling on the Marshall Bypass.

That was one of several points discussed Monday by the Marshall Board of Aldermen and municipal police in the wake of stinging criticism of the town's law enforcement officers delivered earlier this month by Madison County Chief Deputy Dal Peek.

Peek told the Marshall board that he feels the town police have not done their jobs properly because they are not patrolling on the Marshall Bypass and have not written many tickets.

Madison County deputies have been kept tied up within Marshall town limits on matters that could easily be handled by the municipal officers, he said.

During Monday's special called meeting, members of the Marshall board met in executive session with the town's three police officers - William Lisenbee, Charlie Tweed and Edward "Popeye" McLean - for about 30 minutes to discuss Peek's concerns.

That meeting was cut short, however, when the officers received a call concerning a disturbance in the Rollins area of town.

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### Weaverville Police To Assist Lyda In Emergency

By ANNE KITCHELL  
Staff Writer

Buncombe County Sheriff Buck Lyda paid a visit to the Weaverville Board of Aldermen Monday night to discuss a resolution prohibiting town police officers from leaving the immediate area to assist other law enforcement agencies.

That recent resolution came in response to complaints received by board members that Weaverville police were being dispatched to other towns in non-emergency situations.

Under a mutual aid agreement with the Buncombe County Sheriff's Department, Weaverville police can be deputized and called to assist neighboring communities when needed.

"If there's a problem with the dispatch system, let me know," said Lyda. "If you're not satisfied, you can spend the \$40,000 to get your own dispatcher."

Weaverville Alderman David Lankford said the town had received complaints that town officers were sent "where they didn't need to be."

According to Weaverville Police Chief Darrell Rathburn, there was one incident when a police officer was mistakenly called to Woodfin to assist.

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## Hot Springs Cancels Plans To Seek Grant

By ANNE KITCHELL  
Staff Writer

The Hot Springs Board of Aldermen has gotten a disappointing recommendation from Land-of-Sky Regional Planner Jane Miller concerning the town's plans to apply for grant money for municipal improvements.

Town officials had planned to apply for a Community Development Block Grant (CDBG) for the purpose of paving streets, the extension of sewer lines and the construction of a new fire department.

But Miller told the board at a public hearing last week that the town's chances of receiving funding are slim. Town officials agreed to stop pursuing grant money.

"Your best bet would be to step back and see if there aren't other funds available," Miller said.

CDBG funds are available for low-to-moderate-income areas and may be used for housing repairs, demolition of dilapidated housing, relocation of families or public facilities.

The Land-of-Sky Regional Council helps towns apply for state and federal grant money. Miller told the board the proposed extension of sewer service would be the most likely to receive the money, but the homes affected are not considered low-income housing.

"The sewer money of between \$50,000 and \$150,000 affects so few houses, at a cost of \$8,000 per house, I don't feel they would consider your request," said Miller.



Andrew "Junior" Chandler and his wife, Debra, during a break in his first trial in Madison County. Chandler is now serving two life terms on child sexual abuse charges.

## Chandler's Supporters Call For New Investigation Of Abuse Case

By BILL STUDENC  
Editor

Friends and relatives of Andrew "Junior" Chandler, convicted April 15 of child sexual abuse charges, are circulating petitions calling for a re-investigation of the 1986 case.

"We're hoping to send this to the governor and senators," said Jerry Gunter, one of Chandler's friends involved in the petition drive. "We don't know if it will help, but we're trying."

Chandler, a 29-year-old Madison County man, is now in Central Prison in Raleigh, serving two back-to-back life sentences plus 21 years after being convicted of sexually abusing several Marshall Day Care students, aged 2 to 5, from January to May of last year.

Although Chandler was found guilty by a Buncombe County jury of 12 of the 16 charges against him, his friends and relatives maintain that Chandler did not molest the preschool children.

Some 100 supporters met last Thursday at Union Valley Missionary Baptist Church to map out a strategy to help a man they believe is innocent.

The first step of that plan, Gunter said, is to circulate the petitions throughout the county to gauge response to their efforts.

The petition begins, "The majority of Madison County citizens feel that Andrew Chandler Jr. has been unjustly sentenced to life in prison. We the undersigned strongly believe that an innocent man has been imprisoned."

The petition goes on to give a history of Chandler's case, from the filing of charges last May, through a mistrial in Madison County and the moving of the retrial to Buncombe, to the final verdict handed down in Asheville two weeks ago.

"We appeal to your sympathy for a 29-year-old innocent man, with two children of his own, who has been unjustly sentenced without any hope for the future," the petition states. "We citizens of Madison County are not satisfied with this conviction. The conscience of the general public questions the justice of this conviction and we beg a re-investigation of the entire matter."

The group of friends and relatives will meet again May 7, said Gunter, a

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## Sewer Plant May Receive Funds

By BILL STUDENC  
Editor

Marshall officials won't be able to use some \$74,000 in unspent state grant money to repair the town's dilapidated recreation center.

That was the word last week from Sam Parker of the Marshall Housing Authority, who told the Marshall Board of Aldermen that state officials would not approve the use of the funds for much-discussed repairs to the recreation center.

Marshall officials agreed instead to divert the funds toward state-mandated repairs to the town's sewage treatment plant.

The town will also reapply for a N.C. Department of Natural Resources and Community Development grant to complete the rehabilitation of substandard housing on Cotton Hill Hill.

Town officials had hoped to use

\$74,346.03 in state grant money, left over from a sewer line project on Cody Road-Chandler Drive, for repairs to the recreation center.

But Parker, after talking to NRCD officials, found that the project would probably not be approved.

"NRCD is not going to approve the use of those excess funds for the recreation center," he said at last Tuesday's board meeting. "They say it's third on the priority list. Sewer and water lines and housing would come before that."

Town officials had hoped that the excess grant money could be used to repair the sagging roof of the recreation center and to renovate much of the building's interior.

But the state's refusal to allow the grant funds to be used for the center forced the town board to quickly find another project for the unspent money.

Linda Dodson, town clerk, suggested that the funds be used to upgrade Marshall's wastewater treatment plant.

"The state has placed the town of Marshall on a moratorium, which means that we cannot hook up anymore sewer lines until this thing is upgraded to the state's specifications," Dodson said.

And that means that new sewer lines constructed with specially appropriated state funds cannot be hooked up to the system until it is upgraded, she said.

Dodson estimated the cost of renovating the treatment plant, to allow for 20 years of expansion, at \$300,000.

Parker suggested that the town's best move might be to apply the leftover funds toward the wastewater treatment plant, and to seek additional funds.

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Darrell Rathburn  
... Weaverville police chief

## Small Town Police Office Has Some Big Ideas

By ANNE KITCHELL  
Staff Writer

Just because a police department is small, that does not mean they are behind the times.

In fact, the five-man Weaverville Police Department is ahead of all others with an innovative approach to the safe resolution of potentially dangerous conflicts.

Weaverville Police Chief Darrell Rathburn said there is a need for more advanced training programs for the officers due to the community's growth.

"As far as I know we're the only police department in the area, and maybe the state to participate in this program," Rathburn said.

The program, conducted by the Mediation Center, is designed to help

law enforcement officials handle verbal hostility from the public.

"The state requires physical hostility training, but there is nothing mandated for hostility training. That's an area that needs more attention," said Rathburn.

The Weaverville police chief, along with Town Manager Charles Horne began planning for the workshop last year when they were discussing ways law enforcement officers could more effectively deal with harassment and hostility from angry residents.

The program teaches police officials techniques to calm an irate offender when confronted with a ticket or citation. The program suggests the officer actively listen to the offender and acknowledge that he or she is upset.