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## Sheriff Threatens To Sue Commissioners

By BILL STUDENC  
Editor

Sheriff Dedrick Brown may take the Madison County Board of Commissioners to court to get the funds he says he needs to operate the county jail.

"I talked to a lawyer this morning, and he told me that we have a lawsuit against the county for failing to meet minimum standards," Brown said Tuesday. "We do have grounds for a lawsuit."

Brown's comments came after his renewed request for funding for full-time jailers and new requests for additional funds for a evidence storage building and camera surveillance system were rejected by county commissioners at their Monday

meeting.

The commissioners and Brown have been at odds for several weeks over the rate of spending in the sheriff's department. Brown has said he must have additional funding to operate Madison County Jail at minimum standards established by the state, while commissioners have criticized Brown for spending more money than he should be spending.

Brown, who has said a lack of funding is not a legal excuse for failing to meet state standards regulating county jails, said he should know by the end of the week whether he will file a lawsuit against the county.

Members of the Concerned Citizens

Committee for Better Law Enforcement have offered to divert some of the money they have raised for the department to hire an attorney to represent the sheriff, Brown said.

"I've had about eight calls telling me to bring a lawsuit against the commissioners," he said. "We've discussed using part of the money the committee has raised to hire an attorney to represent me against the commissioners."

Brown's main complaint has been that the county's allocation of \$189,129 is insufficient to allow him to pay some \$53,000 in salaries for four full-time jailers. Those jailers are necessary so that someone is supervising prisoners at all times, he said.

"They (commissioners) refuse to do anything for me," he said Tuesday. "They keep hollering that I'm overbudget, but they didn't include my jailers in the budget. I've got to have them."

The commissioners, on the other hand, have continued to voice concern with the rate of spending in Brown's department, warning that the sheriff's office could be \$38,000 overbudget by the end of the fiscal year.

Discussion of sheriff's department spending arose during Monday's board meeting when Brown asked commissioners for \$2,300 for materials for the construction of an evidence storage room, and an estimated \$3,500 for a surveillance camera

system to be used in the jail.

Commissioners rejected both requests, citing a lack of funds, bringing up again the often-discussed topic of funding for the sheriff's department.

The commissioners say that they left it up to Brown to decide where to decrease spending, and say that every department in the county received less money than requested at budget time.

But Brown continued to say that additional funding is necessary to operate the jail at state standards, and to provide full-time coverage of the county by deputies.

"I'm doing things that we have never done before. We have 24-hour patrol

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## Mars Hill Board Hears Motel Plans

By MARGARET A. STUDENC  
Staff Reporter

The town of Mars Hill may soon have a new addition to its family of businesses in the form of a motel, 60 units or larger, along U.S. 19-23.

J.F. Robinson, who owns several Mars Hill businesses, and architect Wayne Roberts presented to the Mars Hill Board of Aldermen Monday night a master plan for a proposed motel located just behind the Western Steer at the intersection of Carl Eller Road and U.S. 19-23.

"We believe it will be a significant contribution to the community and a benefit to the college," said Roberts.

The property, owned by Robinson, is already zoned for commercial use. If things go according to plan, the motel could be ready for room occupants by late spring or early summer, Robinson said.

An anticipated increase in traffic flow along U.S. 19-23 in the next two or three years should help provide customers for the motel, Roberts said. If a proposal to widen U.S. 19 north of Mars Hill to interstate standards comes to pass, that should mean even greater traffic flow, he said.

Roberts told the aldermen and mayor that his work on the motel project would not be in conflict of interest with his role with the Planning and Zoning Board.

The plan Roberts gave to the board is not a final draft, and is subject to change.

"This is a master plan; it is not set in concrete," he said.

Roberts told the board that Robinson also has more property next to the proposed motel site which can be developed.

The town board accepted the plan, subject to the receipt of approval by the Planning and Zoning Board.

In other action, the board agreed to send letters to members of the House of Representatives, state Department of Transportation officials and Gov. Jim Martin urging that U.S. 19 be improved to a four-lane highway from Mars Hill north to the Tennessee state line.

The board also approved a resolution to give \$499.94 to the Land-O-Sky Regional Council for a program to provide assistance to local governments in obtaining grants and funds.



MARGARET STUDENC PHOTO

### Stocking Up...

Employees of the new Food Lion Store in the Weaverville Plaza are busy stocking the shelves in anticipation of Sunday grand opening. See Page 12.

## Ex-Police Chief, Weaverville Agree On Settlement

By BILL STUDENC  
Editor

Weaverville officials have allowed former Police Chief Darrell Rathburn, fired in August, to resign, apparently closing the book on the issue.

Rathburn's resignation came as the result of behind-the-scenes negotiations between his attorney, Devere Lantz of Asheville, and Bill Barnes, attorney for the town of Weaverville.

The two attorneys reached the agreement during a weeklong recess in a grievance hearing requested by Rathburn. That hearing began on Sept. 23, but was recessed for nearly a week after the proceedings dragged on for three hours that evening.

The hearing was originally to resume Sept. 29, but was again postponed because of conflicts in the attorneys' schedules.

It was between Sept. 23 and Oct. 1 when Lantz and Barnes reached the agreement allowing Rathburn to resign.

"The matter as regards Darrell

Rathburn has been resolved," Barnes said earlier this week. "Darrell has tendered his resignation as chief of police, and his request for a grievance hearing has been withdrawn."

"We just got together and worked it out, and that was the way it came out," Lantz said.

The resignation is effective Sept. 30.

Charles Horne, Weaverville town manager, fired Rathburn on Aug. 28 for undisclosed reasons after an internal investigation into the police department.

Although more than one month passed between the date of termination and Rathburn's letter of resignation, Rathburn will not receive salary payment for that month, Barnes said.

"It is our understanding that we simply allowed him to resign. He was hired and he resigned — that's all that will be reflected in his personnel file," Barnes said. "There is no monetary settlement."

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## Madison Officials Adopt Revaluation Rate Schedule

By BILL STUDENC  
Editor

What is Madison County worth? That's exactly what Madison County officials are trying to find out in the on-going revaluation of homes, buildings and property.

The Madison County Board of Commissioners took a major step Monday toward learning the county's worth when the board adopted a schedule of rates for the 1988 property revaluation.

The rate schedule will be on display for 10 days in the Madison County Tax Supervisor's Office.

Tax Management Associates, a Charlotte firm conducting the revaluation, will use the schedule to determine the value of structures and

property in the county.

Commissioners say that the new schedule should more accurately reflect the actual value of property in Madison County. Much property has, in years past, been evaluated at less than its actual worth, county officials said.

According to the schedule adopted by the commissioners Monday, the base rate for a frame house will be \$30 per square foot. That compares with \$24.60 per square foot under the current rate schedule.

For brick homes, the base rate will increase to \$32 per square foot — up from \$37.06 under the current schedule.

The rate schedule for land values will also be going up. Rural land will

be evaluated at between \$400 per acre to \$1,200 per acre. Currently, rural land is evaluated at \$100-\$800 per acre.

Homesites will be evaluated at \$2,000-\$10,000 per acre, up from a current schedule of \$500-\$2,500 per acre.

Commercial, industrial and recreational land will be evaluated at \$10,000-\$75,000 per acre under the new rate schedule. That compares to a previous schedule of \$800-\$20,000 per acre.

The actual value of a home or tract of land will also depend on a number of variables, including topography of the land, road frontage and improvements or additions to buildings.

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## DOE To Resume Nuclear Dump Study In WNC

By BEN ANDERSON  
The Mountaineer

The search for high-level nuclear waste repository site in the Eastern United States has resurfaced, thrusting a 105-square-mile area comprising parts of Madison, Haywood and Buncombe counties back in the running.

The U.S. Department of Energy, in a letter last week from Secretary John S. Herrington to governors of 17 states, announced the search focusing on 12 Eastern sites is being resumed. The department suspended the search in May 1986, a suspension that many Democrats termed a political decision made in an election year.

"The department will resume the second repository site selection process from the point at which it was suspended," Herrington said.

The nation's first high-level nuclear waste dump is to be located in the West. That site also has yet to be selected.

Part of a geological formation — known as the Elk River complex — Western North Carolina was one of 12 Eastern sites identified early in 1986 as potentially suitable for storage of high-level wastes. Another North Carolina site, the Silerville complex near Raleigh, also was targeted for further

**'The unpleasant news is that the Nuclear Waste Policy Act is still the law.'**

Rep. James M. Clarke

study.

Although dismayed by DOE's announcement, U.S. Rep. James McClure Clarke, D-N.C., whose 11th District includes the Elk River complex, said that the wasn't surprised by it.

"First of all, it was exactly what we said during the '86 election," Clarke said from his home in Fairview. "Whenever there was a Republican running, DOE went and said there wouldn't be a dump site."

Clarke defeated incumbent Rep. Bill Hendon, a Republican, in the fall election despite the fact that DOE said in May 1986 it was suspending the search for an Eastern site. On a visit to the WNC mountains that same year, Donald Hodel, current secretary of the Interior, supported Hendon's assertion that the dump likely would not be coming to the region. Hendon later attributed his defeat largely to the dump issue.

But Clarke said at the time that the issue was far from dead, as Hendon had contended.

"The unpleasant news is that the Nuclear Waste Policy Act is still

the law," Clarke said, "and it calls for an Eastern site. I think the important thing is to fight it all the way, not to relax. My opponent (Hendon) kept saying the search was all over, but we can't relax."

Clarke is co-sponsor of two bills, of which Rep. Morris K. Udall, D-Arizona, is the primary sponsor, pending in the U.S. House of Representatives that would alter the course of the dump search.

One measure would plan an 18-month moratorium on the search for a dump site and set up an independent commission of scientists to study the nuclear waste disposal issue. The other would establish a negotiator to deal with states that are site candidates and provide financial incentives for states to accept a waste dump.

"Various states would be offered something like a new medical school," Clarke said. "In a sense it would be a reward for taking the site. I understand the state of Nevada has already passed a resolution saying it would take it to study if the government would give us two million acres of

## School Board OKs Final Budget With \$9.1 Million Grand Total

By BILL STUDENC  
Editor

The Madison County Board of Education has agreed to use \$415,000 in funds left over from previous years to help meet its proposed budget of more than \$9.1 million.

That decision came Monday night — actually early Tuesday morning — after more than three months of discussion, debate and delay on the school system's budget.

The school system had to wait to hear from state officials the amount

that they would have to cut some programs or staff positions after the Madison County Board of Commissioners appropriated to the school system \$159,000 less than requested.

But, by using \$415,000 of a total of \$653,000 of unappropriated funds from previous years, school officials have been able to avoid these cuts, said Ron Smith, finance officer for the school system.

"The reason we can do this is because we are reducing our fund balance from \$285,000 to \$115,000," Smith said after the meeting. "This is

local funding sources for its current expense fund during the 1986-87 fiscal year:

- \$763,330 from the Madison County Board of Commissioners.
- \$415,550 from unappropriated fund balance.
- \$30,000 in fines and forfeitures.
- \$2,000 from miscellaneous sources.

That gives the school system a total of \$1,210,880 in funding from local sources to be spent on operating expenses. That local money will be used to pay some salaries, books and in-

struction and other operational expenses.

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