

The Madison County Democratic Party has come under fire for some of its selections for election judges and registers.

See Page 10

The Madison Patriots bowed out of the Western Highlands 2-A Conference Tournament, losing to Mitchell Tuesday.

See Page 7

# THE NEWS RECORD

Serving Madison And Northern Buncombe Counties

Vol. 88 No. 8

Thursday, February 25, 1988

25¢

## Madison School Board Referendum 'Unlawful'

By BILL STUDENC  
Editor

The Madison County Board of Commissioners cannot conduct a referendum to gauge support for a proposal that would change the way members of the Madison County Board of Education are selected.

That's according to Larry Leake, attorney for the Madison County commissioners.

Currently, members of the Madison County school board are chosen in a partisan election. Commissioner Reese Steen, a vocal supporter of efforts to "de-politicize" the school system, had asked Leake in December to investigate the proper way to set up a countywide referendum on the question of a non-partisan school board.

And Leake's answer, delivered to Steen last month, is that there is no proper way to set up such a referendum.

Under state law, county boards of commissioners can authorize an advisory referendum in only a few specific instances — a bond issue, the establishment of a fire or sanitary district, the consolidation of counties, and changes in the selection or composition of the board of commissioners, Leake said.

"In fact, it has been specifically held by our courts that it is unlawful for the Board of Commissioners to conduct any kind of advisory referendum," Leake said in a letter to Steen.

"Our courts have held that it is the duty and responsibility of the Board of Commissioners or other elected of-

**'After doing a lot of soul-searching, I have yet to find a single reason...not to have a non-partisan school board.'**

**Reese Steen  
Madison County Commissioner**

ficials, such as town councils, to make the decisions for which the people have elected them, and that the election process cannot be used to conduct opinion polls," he said.

That would particularly apply to the Madison County Board of Education, since the method of selection of school board members has been established by the N.C. General Assembly, Leake said.

Madison is one of 28 North Carolina

counties that are exceptions to state law calling for the selection of public school boards through a non-partisan election. In the remaining 72 counties, and in all 40 city school systems in the state, school board members are chosen by a non-partisan vote, according to the N.C. School Board Association.

Because the General Assembly, through local legislation, has set up the method by which Madison County

school board members are selected, only the General Assembly can change that method, Leake said.

"Unless specifically authorized by the N.C. General Assembly, a referendum could not be conducted on the issue of whether the Madison County Board of Election (sic) should be elected on a partisan or non-partisan basis," Leake said.

Despite the fact that a referendum now appears out of the question, Steen said he still plans to seek a change in the election of school board members on a partisan basis.

"After doing a lot of soul-searching, I have yet to find a single reason as it relates to our school children not to have a non-partisan school board," he said Monday.

Steen said he intends to bring the

issue back to the attention of Commissioner John Hensley and board Chairman Robert Capps.

"I would love to see some non-political organization educate the people of Madison County as to the advantages of a non-partisan school board, or perhaps, if there are any disadvantages, to make us aware of those," he said.

Currently, three school board members are selected from District 2, representing western Madison County (Marshall, Walnut, Hot Springs) while two members come from District 1, representing the eastern section of the county (Mars Hill, Grapevine and Beech Glen).

Members of the Democratic and Republican parties select nominees during a primary election.

## Buncombe School Merger Proceeds Without Protest

From Staff Reports

Although the possible consolidation of several Madison County schools has been in the news lately, the merging of four elementary schools in the North Buncombe district seems to be progressing with little controversy.

The Buncombe County Board of Education recently approved a low bid of \$589,133 submitted by Dillingham Construction Co. of Asheville to develop the site for the new North Buncombe Elementary School.

The school will be located on a 50-acre site on Flat Creek Church Road at Clark's Chapel Extension near the new North Buncombe High School.

It will replace current elementary schools at Barnardsville, Flat Creek,

Red Oak and Alexander (French Broad), said Gerry Kovach, public information officer for the Buncombe County school system.

The new school will cost some \$5 million and is expected to be ready for students by August 1989, Kovach said. Construction will begin next month.

The school board, during its meeting last Thursday, also agreed to ask the Buncombe County Board of Commissioners for \$615,000 to cover the cost of the initial site preparation.

Funds for the school will come from a \$32 million school bond referendum approved by voters in 1984, Kovach said. Buncombe County schools' share of that money is \$26.5 million, while the Asheville City School

System received \$5.5 million, she said.

The new elementary school building became necessary when Buncombe County school officials decided to shift to a "middle school" concept, with grades 6-7 housed in a separate facility, Kovach said. When the new North Buncombe High School was built, the old high school became North Buncombe Middle School.

That a large number of transferred students out of the four elementary schools and drastically cut enrollment figures at those schools, Kovach said.

"Since we have gone to a middle school system, it has taken three grade levels out of the schools that

Continued on back page

## Weaverville Committee Forms To Keep Residents Informed

By BILL STUDENC  
Editor

A handful of Weaverville residents has formed Concerned Citizens of Weaverville, an informal committee designed to keep residents aware of activities of elected town officials and appointed administrators.

The formation of the group comes after the Weaverville Town Council's recent public hearing on the proposed satellite annexation of Reems Creek Golf Club, located 1.2 miles outside current town limits.

Chairman of the organization is Joe Joyner, one of the more vocal opponents of the annexation of nearly 90 acres and 180 homesites of Reems Creek Golf Club.

Joyner has criticized Weaverville Mayor Reese Lasher for trying to win

approval of the annexation by town council without sufficient study.

"We decided to do this after the public hearing on Reems Creek Golf Club," Joyner said Tuesday. "The big thing is that he (Lasher) has not asked council members for advice. This has been thrown at them, especially with three new members, without having time to really study it."

At least one of those new council members — Ronnie "Butch" Davis — seems to agree somewhat with Joyner. Davis, at last week's meeting of the Weaverville Town Council, asked that a vote on the proposed annexation be tabled until the council's March 21 meeting.

That motion passed unanimously. But the council is now scheduled to

gather in a special called meeting at 6:45 p.m. today (Thursday) to take action on the annexation petition.

Joyner, who along with six other unnamed Weaverville residents makes up the Concerned Citizens of Weaverville, has sent letters to the households of 650 registered voters encouraging them to attend the March 21 meeting. But because the council has scheduled the special meeting for today, those letters may now have less impact.

Whatever happens with the Reems Creek Golf Club annexation, Joyner says he and his fellow committee members are not trying to stir up trouble at Town Hall — they just want to be sure municipal government in Weaverville remains open.

Continued on back page

## Hot Springs Community Rallies Around Autry

By HASSIE PONDER  
News Record Correspondent

The town of Hot Springs recently gave a perfect example of how residents of a community can unite behind a common cause.

Hot Springs resident Gene Autry, 63, has Lou Gehrig's disease. Originally from Yancey County, Autry has lived in Hot Springs for 28 years. He served as town alderman for eight years and is well-known in the community.

But he may not have realized how well-known he is until he was diagnosed as having Lou Gehrig's disease, or amyotrophic lateral sclerosis (ALS), an illness that affects the nerves and muscles of the body.

Although there have been several cases of this disease — including the much-publicized illness of Western Carolina University football coach Bob Waters — Autry was unaware of what caused his illness until he was diagnosed.

In July 1987, Autry began experiencing problems in his arms and legs. Those problems soon became worse. After seeing doctors in Asheville and Winston-Salem, he was diagnosed in September as having Lou Gehrig's disease. Since then, he has gone from walking under his own power to using a walker.

When residents of the town of Hot Springs and surrounding communities heard about Autry's problems, residents banded together to give the Autry family their support.

A benefit dinner was given in honor of Mr. Autry Feb. 14.

"A lot of people responded by buying dinner tickets and giving private contributions," said Lois Moore, treasurer for the benefit.

The benefit dinner and contributions totaled \$2,400 — more than anyone expected.

But more exciting than the money raised was the fact that the Hot Springs community rallied the money through a benefit dinner and donations.



HASSIE PONDER PHOTO

Lois Moore presents Gene Autry, victim of Lou Gehrig's disease, with a check for \$2,400. The Hot Springs community rallied the money through a benefit dinner and donations.



BILL STUDENC PHOTO

Felton Stephens, Mars Hill College's new head football coach, is making plans for the upcoming season.

## Ex-Player Returns To Coach Mars Hill

By BILL STUDENC  
Editor

When members of the Mars Hill College football team hit the field for spring practice in March, they'll see a familiar face in a not-so-familiar position on the sideline.

Felton Stephens, 41, has served as an assistant coach at Mars Hill for the past five years. But for the 1988 season, Stephens will be wearing the title of head coach.

Stephens was named last month to replace Steve Patton, who stepped down from the helm of the Lion football program to pursue private business interests in Greenville, S.C.

Mars Hill College is definitely familiar turf to Stephens — and not just from a coach's perspective. Stephens, a Weaverville native, is a Mars Hill graduate and former member of the Lions' football squad.

"I am excited," he said. "I think that most coaches are very much goal-oriented. That was probably a long-range goal of mine, to get into college coaching."

But to return to his alma mater to coach a team he once played for is something special, he said.

"Being a head coach at the college level was a long-range goal," he said. "Getting a chance to coach where you played is really exciting."

Stephens was a four-year starter at tight end for the Lions before he went on to coach at his high school alma mater — North Buncombe.

At North Buncombe, Stephens served as assistant coach for five years and as head coach for 10 years, leading the Black Hawks to six conference titles.

Continued on back page

## Authorities Continue Fatality Investigation

From Staff Reports

The N.C. Highway Patrol is still investigating a single-car accident on U.S. 25-70 north of Marshall that killed a Madison County man and hospitalized a New York woman Sunday morning.

Clyde Bullman, 42, of Marshall was killed when the car in which he was a passenger ran off the side of U.S. 25-70 and slammed into a culvert basin at about 8:30 a.m. Sunday.

The driver of the car, Laura Ann Mann, 28, of Ithaca, N.Y., was seriously injured in the crash and was taken to Memorial Mission Hospital in Asheville. Mann was listed in critical condition late Tuesday, according to a hospital spokesman.

Trooper A.L. Cooper, the investigating officer, estimated that the car, a 1978 Chevrolet Camaro owned by Bullman, was traveling at about 70 mph when it left the road in a winding, left-hand curve on U.S. 25-70 about 7.3 miles north of Marshall.

The car ran off the road onto the right shoulder, where it struck a culvert basin, according to Cooper's report of the accident.

Bullman suffered severe head and chest injuries in the accident, Cooper said. Mann received head injuries and a broken leg, he said.

Bullman and Mann were not wearing seatbelts at the time of the accident, Cooper said.

Cooper was reviewing the highway accident scene and the highway