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Hot Springs Mayor Cleared Of Charges

By STEVE FERGUSON
Interim Editor

Aiding and abetting damage to property charges were dropped against Hot Springs Mayor Kenny Ramsey Friday in district court.

One co-defendant, Joe Justice of Hot Springs, was found not guilty of the same charge and another co-defendant, Melinda Lawson of Hot Springs, was found guilty of damage to property. She was ordered to pay court costs and restitution to Hot Springs gas station owner Burlin Ricker and perform 24 hours of community service.

Witness Teresa Stills said she and Melinda Lawson found Ricker's gas pumps turned on even though the station was closed. Karen Gentry of Hot Springs was asked to drive up to Ricker's house and tell him the pumps had been left on, she said.

Ramsey and Joe Justice of Hot Springs arrived in two separate cars and



Kenny Ramsey

talked to the two women in the street, Stills said. After being told the pumps were on, Stills said Justice offered Lawson \$10 to turn on the nozzle and let it run.

Both Ramsey and Justice denied seeing the gasoline pump being turned on, saying they left before it happened. In later testimony, Lawson admitted to letting the gas run out of the pump but denied she was offered any money to do it. Justice also denied that charge.

Ricker said he arrived and stopped the pump after 33 gallons had run out over the station area and into the street.

Lawson said she later approached Ricker, admitted running out the gas and offered to pay for the gas. Lawson said Ricker wanted to "get" Ramsey and Justice and therefore didn't want any restitution from her.

Under examination from defense attorney Larry Leake, Ricker denied having any disliking for the two men and denied saying he was "going to get them."

Ricker will receive \$32.80 from Lawson for the cost of the gas.



STEVE FERGUSON PHOTOS

Planner Gary McGill and Town Manager Charles Horne look at plans for the proposed sewer line.

Weaverville To Pay For Sewer

By STEVE FERGUSON

The Weaverville Town Council approved on Monday an upgrade of the Reems Creek Golf Course sewer line costing \$38,640.

Owners of the development are paying about \$300,000 to install an eight-inch line to service the development. To be adequate to serve the entire Reems Creek area in the future, town officials decided to upgrade to a 12-inch line and pay the difference.

The money will be a loan from the general fund and will be reimbursed from sewer fees to be collected in the future.

Gary McGill, of McGill and Associates, is helping with the planning and development of the resort and was asked by the town to study the future requirements of the sewer line assuming the entire Reems Creek Valley were developed.

"An eight-inch line is enough to serve the golf course development," McGill said. "The question is, is an eight-inch line enough to serve other

areas that would feed into that line?"

McGill's answer was based on the following criteria:

- That areas in Reems Creek below 2,600 feet elevation would be developed at one home per acre.

- That areas above 2,600 feet but with grades less than 25 percent would be developed at one home per five acres.

- That areas above 2,600 feet and with a grade of more than 25 percent would not access the sewer line.

- Watershed areas in Eller Cove, Ox Creek and Woodfin were deducted out of the estimation.

- The average household would dispose 300 gallons per day.

- No plants were made for a high-level industrial user in the area.

"With the valley fully developed, it could produce up to 1.4 million gallons per day," McGill said. All of the valley's developed areas would feed into the line being built for the golf course.

Joe Joyner, of Concerned Citizens of Weaverville, a group opposing annexation of the golf course, questioned the legality of the town spending money outside city limits. Mayor Reese Lasher said the town attorney would look into it.

"This is not service to the golf course," Lasher said. "This is service to the Reems Creek Valley. They agreed to install an eight-inch line. We're just trying to use some foresight."

"If the town spends money outside the town, that's illegal," Joyner said.

Town manager Charles Horne asked McGill if other funding was available from state or federal funds.

McGill said complications would arise because the project is already being paid for by the golf course developers.

"It would be difficult to attach public money to a project that is privately financed," McGill said.

Trial Set For Alleged Rape

By STEVE FERGUSON

Probable cause was found for a jury trial for Lucio Rosales Figueroa, accused of first-degree sexual assault. Figueroa is charged with assaulting a 5-year-old Madison County boy.

Judge Philip Ginn cleared the courtroom to hear testimony of the boy who claimed he had been sexually molested by five migrant workers including Figueroa. Figueroa has charges pending in another case in which he is accused of kidnapping and raping a Big Laurel woman.

The boy said his father was plowing and he went to the trailer where the migrants stayed. He claimed he was held and cut by two different people while inside the trailer, and then he passed out.

"I woke up sitting on the porch. I was bleeding," he said. He said he then went to tell his father.

In contrast, the boy's father said he was unsure if the story was altogether true. He said when his son returned from the trailer, he didn't look as if he had been victimized.

"Fifteen or 20 minutes passed and when he came back, I can't say that he had been molested," the father said. "He didn't say anything about being hurt. I saw no blood or anything on his clothes."

The father also said he wasn't told about the alleged molestation until several weeks after it happened, and that he found no scars on his son's genitals. He also said his son has given conflicting accounts of the incident to his uncle and mother.

"If I really believed this happened," the father said, "I would have taken action a long time ago, and, excuse me your honor, you would've had to come and get me, not Lucio."

Due to the boy's testimony, probable cause was found for a jury trial and Figueroa was held under \$20,000 bond.

In September, Figueroa, 23, was charged with the rape and kidnapping of a 23-year-old Big Laurel woman who is deaf and mute.

Authorities alleged that he kidnapped her as she was walking on a rural road. She and her family had just moved to Madison County from Florida.

The woman was allegedly abducted at gunpoint and forced into a car. She told authorities that her captor drove her to Mars Hill and back to Big Laurel before raping her in the car, parked in a field about a mile from her home, said Madison County Chief Deputy Dal Peek. Authorities have

been unable to find the gun used in the alleged assault.

In other court action Monday:

- Assault with a deadly weapon with intent to kill charges against Joby Hensley were continued until Aug. 12.
- Breaking and entering charges were continued against James Michael Dixon, Michael O. Cook and Anthony Michael Seibert for Aug. 12.
- Possession of stolen goods charges were continued against James Lewis Lynn II for Aug. 12.
- Prayers for judgement were issued indefinitely against Robert J. Reems and Cheoah Rice on charges of failure to send children to school.

- Bond was doubled to \$1,000 for Dallas Lee Roberts who failed to appear for drunk and disorderly charges.
- Possession of stolen property charges were held open until Aug. 12 against Steve Reems.
- Possession of a controlled substance charges were continued until Aug. 12 against Clarence Dale Pickle.
- Injury to personal property charges were continued against Hubert Roberts.
- Assault charges were dismissed against Arville Weiss.
- Second degree trespassing charges were dismissed against Alford

Continued on back page

Bradley Innocent Of Lisenbee Assault

By STEVE FERGUSON

Mike Bradley was found innocent of assault charges filed by ousted Marshall policeman Bill Lisenbee in district court Friday.

Lisenbee said he had been assaulted on the morning of June 23 in the Rock Cafe while trying to talk to Bradley about his father, Marshall Alderman Iverson Bradley.

"Iverson and I had had a little problem a few days before," Lisenbee said. "But Mike had always been friendly. I moved over to his table and said 'Mike, I hope there's no hard feelings on account of your dad.' He said it was none of his business."

"I told him I was sorry," Lisenbee said. "That's when he grabbed me by the shirt collar with one hand, shoved me backwards and cussed."

Defense attorney Joe Huff asked Lisenbee if he was actually hit.

"He didn't hit me," Lisenbee said. "He shook me, shoved me backwards, turned around once and went out."

Bradley admitted grabbing Lisenbee by the collar, but said that was after Lisenbee insisted on talking about the matter three times.

After the third time, "I grabbed his shirt collar and said 'Bill, I don't want to talk about this. Leave me alone,'" Bradley said.

Judge Philip Ginn ruled that while doesn't condone any kind of violence and that a technical assault may have occurred, the spirit of the law had not been broken and Bradley was found innocent.

Alderman Iverson Bradley and

Lisenbee and Alderman Iverson Bradley (Mike's father) had a disagreement

Lisenbee was recently fired as policeman.

Lisenbee had a disagreement outside Marshall town hall June 20 over a car chase in which Lisenbee was accused of not using his lights. That disagreement was part of a series of events that led to Lisenbee's dismissal as Marshall policeman.

Marijuana Finds Total 5,000 Plants In Ten Days

By STEVE FERGUSON

With an N.C. Alcohol Law Enforcement helicopter spotting from overhead, A.L.E. officers and Madison County deputies found almost 200 marijuana plants in three different areas of Shelton Laurel.

That brings the total marijuana found in Madison County to nearly 5,000 plants since July 17. No arrests have been made thus far.

"We're going to start out early tomorrow and we'll almost certainly find some more," said deputy Tony Case.

"We hadn't planned to spend this

much time in Madison County," said Bill Williams, A.L.E. supervisor. "We are coming to realize that there is a tremendous amount of pot in this county."

Deputies found some plants 10 feet off of a paved road and close to a house. Another plot containing 60-70 plants had been recently weeded, tilled and fertilized and was about a mile away from a paved road in steep terrain. Yet another set of plants several weeks old was behind the house of a family who had just moved in Saturday. The plants uncovered averaged one to three feet in size.

"It makes you feel good to find these little plants," said Case. "It means a lot of the big ones are gone and we're not missing much."

Case said local pot growers faced a dilemma. Now that the word is out that authorities are searching, they can harvest their crop but take a loss in profit, or they can sweat it out to see if their crop is not found. "There will be a real increase in pot prices because of this," Case said.

The A.L.E. helicopter pilot radioed "bingo" to the ground crew who would follow the helicopter until it

hovered over a spot.

"Using a helicopter is really the only way to go," said Tim Swain, A.L.E. investigator. "It saves us the trouble of having to search through the woods on foot."

"Pot has to be grown in the sunlight," said Williams. "So no matter how far back in the woods a grower goes, there has to be some sort of clearing for sunlight to get to the plant. A large patch might not be visible from the road but might be clearly visible from a helicopter."

This operation netted a small

amount of pot compared to 1,178 plants on July 17, 1,600 plants on July 18 and 2,000 plants on July 19. Many of those plants were up to 12 feet tall. The largest find was on property between the Big Pine and Little Pine communities on land owned by a Florida resident.

The bust was not without its difficulties. Deputy Teresa Case bumped into a bee's nest and was stung at least seven times. Case is allergic to bee stings and began to hyperventilate.

Williams put Case in the A.L.E. car

to take her to the nearest clinic, which would have been in Hot Springs, a 25-minute trip. Case's reaction was severe and Hot Springs could have been too far to travel.

The wife of Dr. F.B. "Chipper" Jones was driving by and stopped to ask deputies what the police cars were doing. She saw Case's condition and told Williams to drive her up to Jones' house, about one-half mile away.

"There is a tremendous amount of pot in this county"

—Bill Williams



Each patch on this undercover deputy's stick is 100 plants found.



A.L.E. agent Jeff Brackens removes chicken wire from around a group of two-foot high plants.



...as Deputy Vance Ingle carries marijuana out of a large, well-wooded plot that had just been fertilized.

STEVE FERGUSON PHOTOS