



STAFF PHOTO BY DOUG RUTTER

**Beached**

Gordon Bendall of Yanceyville looks over a dead sea turtle that washed up on Sunset Beach last week. The turtle had a deep, 12-inch cut in its belly, possibly caused by a boat propeller.

**REQUEST FOR CHANGE****Bald Head Island Inlet Area Subject Of Public Hearing**

A public hearing will be held Tuesday, Aug. 3, on a proposed change in development standards for one area on Bald Head Island.

The hearing will begin at 4 p.m. at the Public Assembly Building in the Brunswick County Government Center at Bolivia.

At question is the classification of property between Bald Head Marina and Bald Head Creek. It is currently designated an inlet hazard area of environmental concern (AEC). Under the request pending before the Coastal Resources Commission, the designation would be changed to estuarine shoreline AEC.

AECs are fragile natural or cultural areas designated by the commission as needing special protection because uncontrolled development in those areas could permanently damage the environment. CAMA permits must be obtained for development projects in an AEC.

Different development standards apply in each type of AEC. For ex-

**Brunswick County Responds To Federal Lawsuit From Fired Building Inspector****BY ERIC CARLSON**

Brunswick County has responded to a federal lawsuit by former building inspector John W. "Billy" Ingram by claiming that he was a "probationary" employee at the time of his firing and was therefore not protected by the county personnel policy.

The response filed in U.S. District Court in Wilmington last week asserts that Ingram was fired "for not performing his duties in a satisfactory manner" and denies that there were no warnings given before his termination.

It states that county officials acted "in good faith" and did not violate any laws or policies in firing Ingram.

Ingram's lawsuit, filed last May, claims he suffered "mental anguish and severe emotional distress, humiliation and embarrassment, denial of professional standing and reputation and loss of earnings" because of the firing.

The county's response says that Ingram "has failed to mitigate the damages he claims to have suffered by failing to obtain other work."

In this latest round of legal wrangling with fired employees, County Attorney Michael Ramos has retained a Wilmington law firm to aid in the county's defense of the suit.

"Any time I have a case like this outside the county, I like to have an associate from that county," Ramos said Monday. "Otherwise they can run you crazy filing motions, especially in federal court. It would be more expensive for the county if I had to drive up there every time something happened."

Ingram filed his action in Wilmington one day before the third anniversary of his firing. The county's response claims he waited too long and has exceeded the applicable statute of limitations. It also asserts that the actions of county officials named in the suit were protect-

ed by "sovereign immunity."

While most of Ingram's allegations are denied by the county, both sides agree that he was hired as the chief building inspector in October, 1987, on a probationary basis. On Nov. 13, 1989 he applied for and was hired in the newly created position of county purchasing agent.

The suit claims that David Clegg, who was then interim county manager, fired Ingram with "no notice or warning" on May 11, 1990, and later denied him the right to appeal the termination. It quotes provisions from the county personnel policy requiring "at least three warnings before disciplinary action is taken."

The county's response asserts that at the time of his firing, Ingram was still under his six-month probation-

ary period in the new position and was therefore not protected by the portions of the policy quoted in his lawsuit.

In an interview after Ingram filed suit, Clegg refused to say whether any disciplinary warnings had been placed in Ingram's personnel file. Those files are not available to the public.

Ingram was one of six employees asked to take a lie detector test in a 1989 sheriff's department investigation after \$225 was found missing from building inspections department cash box. The polygraph examinations were deemed "inconclusive" and no criminal charges were filed.

In February, 1990, Ingram was suspended from his position for what officials at the time called a

personal conduct problem.

Ingram's lawsuit requests a jury trial and asks that he be reinstated and awarded back pay, lost benefits, punitive damages and attorney fees.

It also seeks action against former county commissioners Gene Pinkerton, Frankie Rabon, Kelly Holden, Benny Ludlum and Grace Beasley for allegedly refusing to hear Ingram's appeal.

The current commissioners are also named in the suit in their official capacity. But the county's response says the current board "had no involvement in those actions and are not liable" in the action.

Ramos said the county's formal response does not indicate an unwillingness to negotiate a settlement in the case.

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