



# COUNTY OF DARE, NORTH CAROLINA

District 1: Roanoke Island & Mainland; District 2: Nags Head, Colington, Kill Devil Hills; District 3: Kitty Hawk, Southern Shores, Duck; District 4: Chicamacomico, Avon, Buxton, Frisco, Hatteras; District 5: At Large

Meetings of the Dare County Board of Commissioners are videotaped and can be viewed at [www.darenc.com](http://www.darenc.com)

## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS

Dare County Administration Building, Manteo, NC

### SPECIAL MEETING

to consider joining a lawsuit to contest the use of the Supplement Process that would implement drastic reductions in the Catch of Southern Flounder

**5:00 a.m., September 21, 2016**

Commissioners present: Chairman Robert Woodard  
Vice-Chairman Wally Overman  
Jack Shea, Allen Burrus,  
Beverly Boswell, Margarett Umphlett

Commissioners absent: Warren Judge

Others present: County Manager/Attorney, Robert Outten  
Public Information Officer, Dorothy Hester  
Clerk to the Board, Gary Gross

A full and complete account of the entire meeting is archived on a video that is available for viewing on the Dare County website [www.darenc.com](http://www.darenc.com).

Chairman Woodard called the meeting to order at 5:02 p.m. He invited Commissioner Boswell to share a prayer, and then he led the Pledge of Allegiance. The Chairman reported that Commissioner Judge was unable to attend due to a prior commitment.

#### ITEM 1 – PUBLIC COMMENTS

The Manager outlined the procedure for making public comments in Manteo and via the video link to the Fessenden Center in Buxton. Nobody responded to the invitation to make Public Comments. However, later in the meeting, Chairman Woodard reopened Public Comments to accommodate those who arrived late. See agenda item #2 for a summary of remarks that were made.

#### ITEM 2 – CONSIDER JOINING A LAWSUIT TO CONTEST THE USE OF THE SUPPLEMENT PROCESS THAT WOULD IMPLEMENT DRASTIC REDUCTIONS IN THE CATCH OF SOUTHERN FLOUNDER

Mr. Outten reported that a lawsuit opposing the use of the Supplement Process has been filed by a Carteret law firm on behalf of associations and counties and invited Stevenson Weeks, an attorney with Wheatly, Wheatly, Weeks, Lupton, and Massie, to address the Board.

Mr. Weeks said the purpose of the lawsuit is to get an injunction against implementation of the Supplement Process as a matter of vital importance to North Carolina's commercial fishing industry. He presented an Economic Profile Analysis outlining the impact of southern flounder catch reductions and compared North Carolina's restrictions to those of other states. Mr. Weeks explained that the Supplement Process is being misused and is not based on adequate science. He asked the Board of Commissioners to join in the lawsuit against the Supplement Process. Vice-Chairman Overman said the Board has adopted three resolutions supporting Dare County's flounder fishermen in opposition of the Supplement Process and made the motion that is listed below. During discussion of the motion, Commissioners voiced support for Dare County's fishermen and called for regulations that are based on science. And, Chairman Woodard offered anyone who arrived late the opportunity to make public comments. In response, Britt Shackelford, President of North Carolina Watermen United, said his group agrees with the information that was presented by Mr. Weeks.

**MOTION**

Vice-Chairman Overman motioned to join in the lawsuit, along with the counties of Hyde and Carteret, in opposing the use of the Supplement Process pertaining to the catch of southern flounder.

Commissioner Shea seconded the motion.

VOTE: AYES unanimous

At the conclusion of the meeting, Chairman Woodard asked for a motion to adjourn.

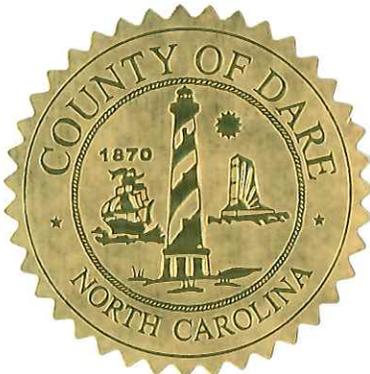
**MOTION**

Commissioner Shea motioned to adjourn the meeting.

Commissioner Boswell seconded the motion.

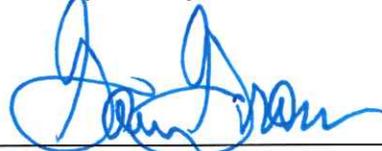
VOTE: AYES unanimous

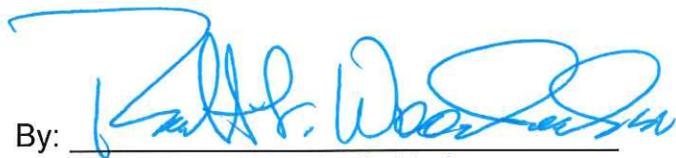
AT 5:29 P.M. THE DARE COUNTY BOARD OF COMMISSIONERS ADJOURNED THE SPECIAL MEETING.



APPROVED:

Respectfully submitted,

By:   
Gary Gross, Clerk to the Board

By:   
Robert Woodard, Chairman  
Dare County Board of Commissioners