

## MINUTES

### SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Wampee Lodge, Pinopolis, South Carolina  
December 18, 1981

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at Wampee Lodge, Pinopolis, South Carolina, at 10:00 a.m., on December 18, 1981, with Chairman Edens presiding. Notice of the date, time and place of the meeting was mailed to the State media. Commissioners present at the meeting included Commissioners Edens, Altman, Owen, Shuler, Dawson, Harrelson, Stubbs, and Compton. Directors and staff members present included Dr. Timmerman, Larry Cartee, Dan Dobbie, Ed Duncan, Benny Reeves, Ed Joseph, Sonny Baines, Jeff Fuller, Brock Conner, Bill Chastain and other staff. Guests at the meeting included Tom Boseman of the South Carolina Bowhunters Association.

#### CALL TO ORDER

Chairman Edens called the meeting to order at 10:00 a.m. He advised the Commission that Mr. Frank Mishoe is hospitalized and requested that he be kept in mind as the meeting was opened with silent prayer.

#### ITEM I. READING OF THE MINUTES

Commissioner Compton moved to dispense with the reading of the Minutes of the November 20, 1981 meeting and approve them as submitted. Commissioner Owen seconded the motion and it was adopted by the Commission.

#### ITEM II. COMMENTS (FOR INFORMATION)

Dr. Timmerman advised the Commission that the Budget and Control Board required a 2.19% budget cut and the Department's budget has been reduced by about \$227,000. Dr. Timmerman went over the budget reductions and impacts in each program area and the reduction in personnel in each division over the past year. Benny Reeves noted that the number of personnel in the Department has dropped from 762 to 709 over the past year. Dr. Timmerman stated that we will be seeking funds to keep the anadromous fish and seafood marketing programs going.

Larry Cartee discussed the Union Camp permit application noting that the South Carolina Water Resources Commission has voted to consider the Department's comments on the proposed permit as an objection for administrative purposes to process the permit. A statement on the Department's position on the permit application was provided the Water Resources Commission (copy attached to original Commission Minutes). The Department will be meeting with Union Camp in the near future to express our concern with the permit application. On the Carolina Refinery permit application Ed Duncan noted that the applicant has sent the Department some information but it does not answer the questions we have concerning the permit application. We will be responding to the Water Resources Commission that our questions on this permit remain unanswered and our previous letter

sent on this permit application will still stand as submitted. Chairman Edens stated we need to take these permits seriously and when a position is taken that it be done with as much foresight as possible.

With the Rediversion Project, Dr. Timmerman noted that a new fish hatchery will be constructed. Several requests have come from the staff to name this in honor of Jack Bayless. This will be further discussed at the next meeting.

Dr. Timmerman passed out the Vehicle Accident Report for July-December, 1981, to the Commission for information.

Dr. Timmerman passed out the Staff Meeting Minutes and advised the Commission that the Personnel Management Program will be implemented.

Chairman Edens expressed appreciation to the South Carolina Public Service Authority and Commissioner Dennis for hosting the meeting of the Commission. He also commended the Commission for its excellent attendance at recent Commission meetings. Chairman Edens expressed thanks to Will Lacy and Donna Florio for the food prepared and he commended Billy DuRant for the good job done on the film on departmental programs. Chairman Edens advised the Commission that he and Dr. Timmerman will meet with Secretary Watt and NOAA officials in Washington on January 6, 1982.

### ITEM III. OLD BUSINESS

A. DELK PROPERTY ACCESS AT MOUNTAIN BRIDGE PROPERTY: Tommy Edwards noted that at the last Commission Meeting a request was made for an easement on Watson tract property owned by the Department which was acquired with federal funds. In talks with staff of the Heritage Conservation and Recreation Service which provided funds to acquire the property, there could be problems with granting this easement as the property could be developed and there could be future impacts on the purposes for which the property was acquired with federal funds. The Department could be required to replace the property if the easement were granted. Mr. Edwards noted these were some of the Department's concerns and he recommended that the request for the easement not be approved due to the potential problems with federal funding. Commissioner Stubbs moved for the Commission to deny the request for the easement with regrets. Commissioner Compton seconded the motion and it was adopted by the Commission. Chairman Edens asked Mr. Edwards to notify these individuals of the Commission's action.

B. DISCUSSION-ATTORNEY GENERAL'S LETTER ON LAW ENFORCEMENT: Chairman Edens noted the Commission had discussed at recent meetings the subject of promotions in law enforcement. A letter dated November 17, 1981, from Frank Sloan of the Attorney General's Office (copy attached to original Commission Minutes), recommended an amendment to the statutes regarding Sections 5-3-110 and 5-3-50 of the 1976 S. C. Code of Laws. Chairman Edens noted this proposal would clarify the authority of the Commission and the delegation of powers and duties of the Commission through the Executive Director and the divisions in the Department. Following extensive discussion by the Commission, Commissioner Compton moved for the Commission to request an amendment in the law as recommended by Mr.

Sloan. Commissioner Owen seconded the motion and it was adopted by a majority vote of the Commission with Commissioners Edens, Shuler, Owen, Altman, Compton and Dawson voting in favor of the motion and Commissioners Stubbs and Harrelson voting against the motion. Chairman Edens noted that Senator Dennis and Representative Altman will be asked to introduce this change in the law as adopted.

C. DISCUSSION-LAKE OAK GROVE: Dr. Timmerman noted that the State Engineer has looked at the Lake Oak Grove Dam and estimated that it will cost about \$250,000 to make this dam safe. Mac Flood advised the Commission of the problems and needs to properly reinforce the dam. Dr. Timmerman stated that he could not recommend this large an expenditure of funds for an 18-acre lake for fishing purposes and he asked for guidance from the Commission. Following discussion by the Commission, the Commissioners asked the staff to report our findings to the legislators in that area to see if they may want to seek funding for the repair work. The possibility of developing a homeowners' association or selling the land could also be explored. The staff will explore the various options and report their recommendations back to the Commission.

#### ITEM IV. NEW BUSINESS

##### A. DISCUSSION-HANDLING VIOLATIONS OF MINORS (AGE 17 AND UNDER):

Commissioner Shuler noted that minors charged with game and fish violations now go to a family court and points cannot be assessed for violations. This matter has been a problem in the past and the Law Enforcement Advisory Board is concerned that the family court has not taken game and fish violations seriously so there is no deterrent factor. Tommy Edwards noted the Highway Department uses Section 14-21-515 of the 1976 S. C. Code of Laws to treat violations of juveniles in magistrate courts just like an adult. Mr. Edwards noted this has worked well and the Advisory Board recommends this law be amended to include fish and game violations. Commissioner Shuler moved for the Commission to adopt this proposal and request such a change in the law as discussed by Mr. Edwards. Commissioner Dawson seconded the motion and it was adopted by the Commission.

##### B. DIVISION REPORTS:

1. ADMINISTRATIVE SERVICES: There was nothing further to report.

2. WILDLIFE AND FRESHWATER FISHERIES: Brock Conrad provided an update on the modified doe quota program implemented this year. One thousand one hundred twenty-four (1,124) doe quotas were issued and 15,100 tags were issued. It is estimated that seventy-five man-days of work was saved and \$1,300 in telephone costs were saved. Mr. Conrad noted they would like to continue this procedure.

3. LAW ENFORCEMENT AND BOATING: There was nothing further to report. Commissioner Shuler moved for the Commission to hold an Executive Session following the regular meeting to discuss personnel matters. Commissioner Dawson seconded the motion and it was adopted by the Commission. Chairman

Edens announced that an Executive Session would be held following the regular meeting to discuss personnel matters.

4. INFORMATION AND PUBLIC AFFAIRS: Sonny Baines reported that about 3,000 cookbooks have been sold.

5. MARINE RESOURCES: There was nothing further to report.

C. ADVISORY BOARD REPORTS:

1. WILDLIFE AND FRESHWATER FISHERIES: Commissioner Owen noted the Board met on December 10, 1981 in Columbia. The Board adopted a Resolution honoring Coy Johnston's service on the Board and this Resolution was recommended to the Commission for endorsement (copy attached to original Commission Minutes). By a unanimous vote, the Commission endorsed the Resolution adopted by the Board. Commissioner Owen stated the Board had adopted criteria for an Employee of the Year Award. Chairman Edens asked that this be sent out to the Commission and placed on the Agenda for the January meeting. The Staff's comments on this idea should also be presented to the Commission at that time. Commissioner Owen also noted the Board recommended the Commission endorse the following change: 1) Prohibit drivers on man-drives from using firearms on GMA lands; 2) eliminate man-drives on either sex days; and 3) eliminate the use of rifles for turkey hunting. Chairman Edens asked that these three proposals be put to form and included in the legislative package for consideration at the January Commission meeting. Commissioner Owen advised the Commission that a letter on man-drives has been received from Jim Edens of Deer Unlimited and he or Jeff Fuller will respond to this letter. Commissioner Owen stated that the issue of spotlighting was discussed by the Board. Commissioner Shuler noted this is a big problem which needs to be pursued. Chairman Edens asked Dan Dobbins to bring this matter to the Commission as part of the legislative package.

2. LAW ENFORCEMENT AND BOATING: There was no report from the Board this month.

3. MARINE RESOURCES: There was no report from the Board this month.

4. HERITAGE TRUST: There was no report from the Board this month.

D. SALARY REVIEW COMMITTEE: Dr. Timmerman noted this report is in order and a copy has been sent to the Chairman.

E. APPOINTMENTS: Dr. Timmerman distributed a copy of the recommendations for appointments and reappointments of Conservation Officers and Deputy Wildlife Conservation Officers (copy attached to original Commission Minutes). All appointments and reappointments were approved by the Commission as recommended. Commissioner Shuler asked about the procedure of not issuing a DWCO Commission until an individual attends school and the procedure for getting a DWCO badge back when a person is no longer a DWCO. Since there are some problems with these procedures, Chairman

Edens asked the Law Enforcement Advisory Board to review these procedures and make any recommendations to the Commission.

F. OTHER REMARKS: Commissioner Stubbs discussed the antlerless deer tag program in Virginia and suggested this be looked at by the staff.

G. TIME AND PLACE OF NEXT MEETING: Chairman Edens announced that the next meeting will be held in Columbia on January 15, 1982, at 10:00 a.m.

ITEM V. ADJOURN

There being no further business, the Commission adopted a motion to adjourn the regular meeting and go into Executive Session.

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RETURN TO REGULAR SESSION

Following the Executive Session, the Commission returned to regular session and invited participants into the meeting. Chairman Edens announced that in the Executive Session, the following items were discussed and acted upon:

1. The Commission discussed a recent conviction made against Conservation Officer Jimmy Hill. No action was taken. Officer Hill remains under suspension without pay indefinitely. No further action is required until the outcome of the indictment on federal charges has been determined.
2. The Commission adopted a motion endorsing the grade reallocation of Conservation Officers from Corporal through Captain so that such grades stay aligned with the South Carolina Highway Patrol (copy of reallocation attached to original Commission Minutes).

The Commission adopted a motion to approve and ratify these two items. There being no further business, the Commission adopted a motion to adjourn.

