

## MINUTES

### SOUTH CAROLINA WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Dutch Plaza  
Columbia, S.C.

March 17, 1978

The regular monthly meeting of the South Carolina Wildlife & Marine Resources Commission was held at Dutch Plaza in Columbia, South Carolina at 10:00 a.m. on March 17, 1978 with Chairman Hudson presiding. Other Commissioners present were Lumpkin, Trask, Boykin, Buchanan, Edens, Shuler, and Bennett. Directors and staff members present were Dr. Timmerman, Dr. Joseph, Dr. Beam, John Culler, Jeff Fuller, John Reeves, Bill Chastain, Brock Conrad, Tommy Welch, Freddie Ziegler, Ned Pendarvis, Johnny Evans, Joe Logan, Dan Dobbins, Larry Cartee, and various others. Guests present were Frank Caggiano, Director of Research and Administration of the House Agriculture and Natural Resources Committee, Mike Copeland of the Senate Fish, Game and Forestry Committee, and Pat Robertson of the Columbia Record.

#### CALL TO ORDER

Chairman Hudson called the meeting to order.

#### CALL FOR EXECUTIVE SESSION

Commissioner Boykin made a motion to hold Executive Session following the regular meeting to discuss personnel matters. The motion was seconded by Commissioner Buchanan and passed by the Commission.

#### ITEM I. READING OF LAST MEETING MINUTES

Commissioner Edens made a motion to approve the minutes of the February 1978 Commission Meeting as submitted. The motion was seconded by Commissioner Boykin and passed by the Commission.

#### ITEM II. COMMENTS

Dr. Timmerman reported that the Study Committee concerning the Small Game and Fur Bearing Programs met recently and recommendations will be made to the Commission at the April meeting by the Wildlife & Freshwater Fisheries Advisory Board after they have reviewed the information from the Study Committee.

Also, it was reported that Dr. Timmerman received a letter from Bob Edwards and Dean Anderson at Clemson University stating that they would be very happy to work with the Department concerning Clemson working at the experimental station with any type of wild seed certification, etc. Dr. Timmerman stated that he would work with the Chairman and members of the Wildlife & Freshwater Fisheries Advisory Board to meet with Clemson at a later date.

On June 8, 9, and 10th a small group is scheduled to come in and do an in-depth study on the Information & Public Affairs Division. It will be reviewed from several different aspects to make certain that the people are being reached. A Cost Benefit Ratio will be run on the activities done in I & PA.



Dr. Timmerman reported that the Rules and Regulations on eel have been reviewed by staff for revision and they have recommendations to make. Dr. Timmerman asked whether or not this matter should be brought before the Advisory Boards or brought directly to the Commission for consideration. Chairman Hudson suggested that the Advisory Boards review the matter. Commissioner Edens stated that the Wildlife & Freshwater Fisheries Board plans to meet at Eutaw Springs the second Thursday of April and that he would be happy to put this matter on the Agenda and extended an invitation for the other two Advisory Boards to join them.

Information was passed out to the Commission on 1978-79 Budget Needs. Dr. Timmerman reported that staff met with the sub-committee of the Ways and Means Committee concerning this. Dr. Timmerman noted that last year the budget in Law Enforcement was overrun in Supplies and Maintenance by approximately \$125,000. Money was transferred from Equipment to balance this budget. It was noted that more money is requested this year for Motor Vehicle and Supplies. Also, it was pointed out that funds must be requested to maintain the four conservation officers that the Coastal Council funded the hiring of. Funds have also been requested for the hiring of an Internal Auditor, as well as the Wildlife and Freshwater Fisheries Furbearing/Small Game Programs. Dr. Timmerman stated that he felt that this would be supported by friends on the floor of the House as well as the Senate Finance Committee. Staff is meeting with the Senate Game, Fish & Forestry next Tuesday to solicit their support on this matter, as well as going over some Bills to get their opinion on.

Dr. Timmerman passed out information concerning Vehicle Status - County Funds Vehicle Purchase (76-77) stating that since the Department has had to use money out of Vehicle for Maintenance and Supply it has left a backlog of old vehicles. Dr. Timmerman stated that the Department would like to put vehicles on a three year cycle noting that vehicles for replacement in Law Enforcement are already on order and plan to place another order to place vehicles in those Divisions who have the greatest need. It was stated that the order that has been placed was mostly the sedans with a smaller engine. Dr. Timmerman stated that staff plans to ask for a supplementary appropriation for Supplies and Equipment so that we can utilize the Equipment for go ahead and purchase these vehicles. He also noted that employment is frozen in all Divisions.

Dr. Timmerman passed out a copy of correspondence with Dr. Jack S. Mullins, Director of the Personnel Division of the State Budget and Control Board regarding upgrading of the Conservation Officers to put them in line with the Highway Patrol classes. Dr. Timmerman noted that he has informed the legislators who introduce such legislation that if something is passed on this it would have to be contingent with an appropriation. It would take approximately \$100,000 to implement this upgrading at this time.

There was some discussion as to the type of vehicle that should be ordered and it agreed by the Commission that some of the smaller cars should be ordered and tried along with the others to see which type car would best meet the Department's needs for Law Enforcement.



The April 1978 Commission Meeting will be held at the Dennis Wildlife Center and the Dedication Ceremony for the Center will be held at 12:00 with a Bar-B-Que following at 1:00 pm. A copy of the tentative agenda was passed out.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins reported that the Legislative Report was mailed out with the Commission Package with copies of Bills, however, an update on the legislative affairs was passed out at the meeting. This included draft legislation. A legislative proposal was presented to the Commission earlier in the year and approved by them. Subsequently, the proposal was submitted to the Fish, Game and Forestry Committee in the Senate and the Agriculture and Natural Resources Committee in the House. Subcommittees of these Committees requested that our department prepare pieces of draft legislation to address those legislative proposals. This is a copy of the first batch that we have received from legislative council and as these draft bills are issued, Dobbins will circulate them to the Division Directors to make certain that the bills have been written to reflect the changes that the Commission, the Senate Fish, Game & Forestry Committee, and the House Agriculture and Natural Resources Committee have approved. At that time, these bills will be presented to the subcommittees for their information and from that point on it will be up to them to report it back to the full committees and they will report out what they deem proper.

Commissioner Buchanan brought up the matter of Conservation Officers making cases on trespassing. Chairman Hudson stated that the law was that our officers are required by law to enforce these trespassing laws. He stated that the Commission discussed this matter at length years ago when it came up and it was determined that the Department had no choice and must enforce these laws. Chairman Hudson asked Bill Chastain to bring the Commission up-to-date on the policy on trespass. Chastain stated Law Enforcement was only required to make cases on trespass to hunt or fish prior to the change in the law. As a matter of policy, our Department asked that the landowner be willing to appear in court to help get a conviction. The Commission instructed Law Enforcement to enforce this law as any other law. Chastain feels that, particularly in the Piedmont, the enforcement of the trespass law is a good public relations tool and that if we do not enforce the law we are in jeopardy of losing a lot of Game Management Property. It was noted that the landowner must be willing to appear in court if necessary to make a case. In most instances, the Magistrates know the landowners and know whether or not they want people on their property. Commissioner Buchanan's concern was for rabbit hunters hunting with dogs and the dogs getting over on private property. He feels that a hunter should be allowed to go on that property to get his dogs. The present law is that an individual is required to have written permission from the landowner to go onto his land for any reason. Commissioner Lumpkin stated that the Commission went on record as supporting a Simple and Malicious Trespass Bill. Frank Caggiano stated that the Bill has not been introduced yet, but it is in sub-committee in the House Committee and probably has been transmitted to the Senate Committee.

Commissioner Shuler brought up the matter of a law for out-of-state commercial



fisherman such as a license. This is for freshwater fishing. Dr. Timmerman stated that this subject is on the Agenda for the Wildlife and Freshwater Fisheries Advisory Board meeting for April 13th to be held at Eutaw Springs. The commercial fishermen plan to be present at that meeting. Staff has done an indepth study on this matter and will make recommendations to the Board at that time.

#### ITEM IV. OLD BUSINESS

A. DOE DEER HARVEST RECOMMENDATIONS: Jeff Fuller reported that staff and field biologists have met on the doe deer matter and came up with six possible ways that the doe harvest matter might be accomplished in the Western and Central Piedmont. Input was received on the matter from Law Enforcement staff and it was brought before the Wildlife and Freshwater Fisheries Advisory Board. This information was mailed to the Commission prior to this meeting. The Advisory Board determined that the harvest of anterless deer in the Western and Central Piedmont Game Management Areas be handled as in the past, incorporating the following items into the program: (1) The Information and Public Affairs Division through the various news media would notify the public that law enforcement efforts during doe days would be accelerated. More Conservation Officers will be brought into the area and one of their main concerns will be the enforcement of trespassing laws; (2) The public would be notified that Conservations Officers can be contacted by the telephone hot line or by CB radios. By doing this landowners having trespassing problems would be able to contact Conservations Officers within a short period of time; (3) Ample identification will be required of persons purchasing permits and licenses in order to insure that non-residents do not illegally purchase residents licenses or permits; (4) The anterless deer days in the Central and Western Piedmont Game Management Areas will be held on separate days; (5) The total number of anterless deer days needed will still be determined by the Wildlife and Freshwater Fisheries Division. The Wildlife and Freshwater Fisheries Division recommends the above to the Commission for action. Dr. Timmerman expresses concern over a great number of people concentrating in an area during the opening of the season. These recommendations do not address this particular problem. Commissioner Buchanan suggested issuing a doe tag so that a hunter could take his doe at any time during the season. Fuller stated that staff feels that this would biologically damage the deer herd, as well as cause additional enforcement problems. Commissioner Edens stated that the Advisory Board supports the recommendation of staff in the matter and made a motion that the Commission adopt the recommendation as submitted. Commissioner Lumpkin seconded the motion and it was passed. NOTE: Commissioner Buchanan wished not to vote on the matter.

Commissioner Trask asked about the possibility of charging for a doe tag to bring in additional revenue. Dr. Timmerman stated that he is reviewing this matter at the moment and has found that Georgia charges \$3.25 and North Carolina charges \$3.50, however, they are having complications on how many tags should be issued to an individual. Chairman Hudson asked about the possibility of requiring individuals hunting on doe day to purchase a doe license. Dr. Timmerman stated that in his opinion it would be impossible to get any legislative action on a license increase at this time, but feels that staff should look into it and be



prepared in advance of the next legislative session to present licenses revisions necessary. Fuller stated that Coy Johnson, a member of the Advisory Board will present a report on this matter at the next meeting.

Also recommended by the Advisory Board regarding doe days in the eight counties in the low country was: (1) Countywide doe days in these eight counties would be discontinued and the system will revert back to that used prior to last year; (2) With regard to the issuing of doe tags, efforts will be continued to push for passage of the Bill increasing the penalty for illegal or improper use of issued tags; (3) Any tagholder convicted for improper use of a tag would, after conviction, and upon the recommendation of the Conservation Officer and Field Biologist, have their tag permit revoked for the remainder of the season and no tags issued the following year. This includes the provision that tags would not be issued to the same individual and/or tract of land involved the following year. It was discussed and generally agreed that the official Rules and Regulations pertaining to cancellation of tag permits should be officially recorded in the Registry. Commissioner Edens made a motion that the Commission adopt the above recommendation. Commissioner Boykin seconded the motion. Fuller reported that the reason for this recommendation was that last year when this procedure was set up there was a clause stating that if the land acreage was 2,500 acres or less the doe deer could be taken on these days. However, the Commission reconsidered the matter and felt that it was discriminating against small landowners so the doe days were continued since they had been advertised and set up. If we are going back to the old system, tags will be issued only to those individuals requesting them and their request is warranted by what staff finds, regardless of the size of the property. Freddie Ziegler mentioned that there is a real problem in taking tags from someone. Commissioner Edens stated that the Advisory Board Minutes of the last meeting should read: (#3 on page 2) Further, any tagholder convicted for improper use of a tag would, after conviction, have their tag revoked...(This correction should be made to those Minutes). There was no objection to the motion and it was passed.

In addition, the Advisory Board recommended that depredation permits for deer generally be handled as in the past. Once the landowner is issued such a permit, he will notify the local Conservation Officer as to the date and time he will attempt to shoot the deer. The permit will allow the deer to be taken at daylight hours or at nighttime. Any deer taken under the permit will be reported immediately to the local Conservation Officers. Deer so taken will be delivered to an eleemosynary institution by personnel of the Department. Conservation Officers and Biologists will cooperate in this responsibility. Commissioner Edens stated that this is a State law. Commissioner Edens made a motion to adopt the above recommendation. The motion was seconded and passed by the Commission.

Dr. Timmerman stated that he will ask staff to prepare a written communique on the guidelines for the Shoot to Kill Permit so that Law Enforcement personnel and the Biologists will be informed of the policy. Also, in a particular Game Zone the majority of the Delegation in that County must approve the harvest of doe deer. In one particular County those Legislators are getting input that doe deer should not be harvested. There are some landowners in that particular county where



our biologists have checked the area and determined that there is an over population of deer. Presently, we can only issue a depredation permit where they can be killed and given away. The landowners do not agree with this method. It was generally agreed that staff should work with the Delegations in those areas and see if an agreeable solution can be derived.

After considerable discussion regarding the doe tagging system, it was agreed that since there were some potential problems regarding revocation of the landowners tag permit, that staff would look further into the matter and bring it back before the Commission at the next meeting (any information should be mailed to the Commission at least two weeks prior to that time). If a change is necessary, it can be made at that time.

APPEARANCE OF DEER HUNTERS: A group of gentlemen were in attendance at the meeting and asked why the deer season is going to be closed again after Thanksgiving. The spokesman for the group stated that their group went to a lot of trouble two years ago to have it left open. He asked why the season is being closed since the deer herd is increasing. Chairman Hudson stated that the reason for closing the season at that time was to allow equal time for rabbit hunters. The primary reason for closing deer hunting during that period is to keep hunters from running deer with dogs. The group asked why the private landowner must be penalized by this law. Brock Conrad reported that it would be difficult from an enforcement standpoint to have the deer season open on one area and not on another where private and Game Management Area Land is intermingled within the county. The harvest during that period of time drops off considerably for deer. Chairman Hudson asked for suggestions from the group. A spokesman from the group suggested allowing primitive weapon and bow and arrow during that time. After discussion by the group, Chairman Hudson asked Brock Conrad to look into the matter of leaving the season open for bow and arrow on Game Management Areas during the two week period that gun hunting for deer is closed and make recommendations to the Commission at the next meeting.

#### ITEM V. NEW BUSINESS

##### A. DIVISION REPORTS:

1. Administrative Services: Benny Reeves reported that bids will be advertised next weekend for the construction of radio stations in Beaufort, Florence and York Counties. The Federal Building in Charleston has been completed and the lease rent should be started within a week or so.

2. Wildlife & Freshwater Fisheries: Jeff Fuller had nothing further to report.

3. Information & Public Affairs Division: John Culler reported that some problems have developed on The Resource, the department newspaper, in that the subscription renewal has dropped off to a point where it is losing money. Therefore, Culler recommended to the Commission that the paper be discontinued. The money that will be due to subscribers can be credited to their magazine subscription or refund the pro-rated money back. Benny Reeves stated that he did



not foresee a problem, but he would check to see how to go about it. Commissioner Edens made a motion that the Commission authorize Dr. Timmerman, John Culler and Benny Reeves to work out whatever disposition should be made of The Resource. The motion was seconded and passed. Dr. Timmerman also noted that a Feasibility Study will be made of the Information & Public Affairs Division in June and some specific recommendations will be made for that Division by the end of the summer.

4. Law Enforcement & Boating: There was nothing further to report on this Division. Dr. Timmerman reported that Pat Ryan was absent due to the fact that his Mother-in-Law passed away in Mississippi and he is out there. The Commission requested that a telegram or letter be sent from the Commission and staff to the family expressing condolences on the occasion of her passing. Dr. Timmerman will have someone take care of this matter this afternoon.

5. Marine Resources: Dr. Joseph had nothing to add to his report. Commissioner Buchanan passed to Dr. Joseph a letter he received from a friend of his who is an avid offshore fisherman asking what we can do promoting these tournaments for offshore fishing. Dr. Timmerman mentioned that staff is meeting with the Senate Game, Fish and Forestry Committee and one thing to be discussed in detail with them is a shellfish bill. After some discussion on the shellfish situation, it was suggested that staff look into the oyster lease situation closely.

B. ADVISORY BOARD REPORTS:

1. Wildlife & Freshwater Fisheries: Commissioner Edens reported that Joe Logan brought up the matter of a trout tag at the last Advisory Board Meeting. He reported that the Board did not take action on this, but stated that he felt that staff should bring the matter before the Commission. Dr. Timmerman stated that any Trout Stamp would have to be a legislative process. Joe Logan stated the trout program is being jeopardized because of budget problems. Approval was received from the County Delegation for funds for that program this year, however, after July 1, 1978, there may be problems again. Chairman Hudson stated that Trout Unlimited representatives have contacted him several times regarding a Trout Stamp and requesting an appearance before the Commission in regard to this. After discussion on the matter, it was decided that Chairman Hudson would issue and invitation to Trout Unlimited to appear before the Commission.

2. Law Enforcement & Boating: Commissioner Boykin had no report.

3. Marine Resources: Commissioner Lumpkin stated that on April 7, 1978 another Hearing will be held with the people from McClellanville on the disputed Oyster Lease and hopefully the matter will be resolved.

4. Heritage Trust: Dr. Beam reported that the Board met recently and went over some of the properties staff is looking at and recommendations will be made. The Board plans to meet again in June.

C. SALARY REVIEW COMMITTEE: Dr. Timmerman reported that this report is in order and passed a copy of the report to the Chairman for the Commission file.



D. APPOINTMENTS: Dr. Timmerman went over recommendations on Deputy Wildlife Conservation Officers and Department Conservation Officers. Information on these recommendations was submitted to the Commission prior to this meeting. It was noted that under Item II. B. New Appointments for Department Conservation Officers, George Stanley Vick, Georgetown should read District 9 - Georgetown County rather than Horry County. A motion was made by Commissioner Lumpkin to approve the recommendations as submitted. The motion was seconded and passed. (A copy of this information is attached to the original set of these Minutes for future reference.)

E. OTHER REMARKS: Commissioner Shuler stated that he feels that the Commission members have a responsibility to go before clubs such as Sertoma, etc. if they are asked to do so and suggested that the Information & Public Affairs Division come up with a program to help the Commission out in holding these meetings. Also, he stated that he would like to see a pamphlet for new Commissioners as to what is required, duties, etc. Chairman Hudson asked staff to come up with a program on generally what the Department and/or Commission does, as well as a Commissioner's Handbook. Dr. Timmerman stated that the staff would provide material for the Commission's review in a month to six weeks. Chairman Hudson stated that the University of Colorado has a course for Commissioners and feels that if the Commission pushes Clemson to do the same, it could be handled this way. Dr. Timmerman stated that he would also bring this back up at the Southeastern meeting in May.

There being no further business to come before the Commission at this time in the regular meeting, a motion was made, seconded and passed to adjourn into Executive Session.

Respectfully submitted,

*Chris S. Murray*  
(Mrs.) Chris S. Murray,  
Commission Secretary

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