

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION

September 17, 1976

Bonneau Ferry
Bonneau, South Carolina

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at Bonneau Ferry in Bonneau, South Carolina at the invitation of Westvaco, at 10:00 am on September 17, 1976 with Chairman Hudson presiding over the meeting. Other Commissioners present were Commissioners Shuler, Edens, Boykin, Buchanan, Dennis, Lumpkin and Trask. Advisors present were Coy Johnston and Dan Marrett; Directors and Staff present were Ned Pendarvis, Pat Robertson, Jr., Edward B. Latimer, Fred H. Ramage, Burke Fields, John Culler, Brock Conrad, Jack D. Bayless, Larry Cartee, Jeff Fuller, Mike McKenzie, Pat Ryan, Boo Lachicotte, John B. Reeves, Dr. Timmerman, Dr. H. Wayne Beam, Fred M. Myers, Gene Smoak, Harvey Williams, Bob Hodges, Ben Campbell, Prescott Baines and various others; Guests present were W. R. Livingston, fish dealer, Clifton Winkler and Erick Wowra, and Robert Rhame, former Commissioner.

CALL TO ORDER

CALL FOR EXECUTIVE SESSION: Commissioner Boykin made a motion to hold Executive Session following the regular meeting of the Commission to discuss personnel matters. The motion was seconded and passed.

ITEM I. READING OF LAST MEETING MINUTES: Commissioner Edens made the following corrections to the August 27, 1976 Commission Meeting minutes:

1. On Page One, first paragraph, amend to show that also in attendance at the August Commission meeting were Marion Burnside, Walt Zachowski and Dan Marrett, who are all Advisors to the Commission.
2. On Page One, last paragraph, amend to show that the gift of property from Thomas Yawkey to the Department was South Island Plantation which incorporates part of Cat Island, North Island and South Island.
3. On Page Three, Item IV. Old Business, A., amend to show that the Department's allocation of about \$255,000 was additional state appropriation over and above last years appropriation.

A motion was made to dispense with the reading of the last meeting minutes and approve with the above corrections. The motion was seconded and passed.

ITEM II. COMMENTS: Dr. Timmerman noted that on the Agenda for the meeting Item IV. New Business, A. Appointments of Advisory Board Members, Edens, should be removed, as it was put on the Agenda in error and would be discussed at the appropriate time.

DEPARTMENT OFFICE FACILITIES: Dr. Timmerman reported that a proposal has been received from First National Bank and has been compared to the present lease, rent, etc. Copies of this information was mailed out to the Commission prior to this meeting. A copy of page 9 of the report was passed out to the Commission for information and discussion. This report showed that the Bankers Trust Lease was for 3,280 net usable square feet at an annual cost of \$23,115 (\$7.05 per sq. ft.); the existing Dutch Plaza Lease was for 29,400 net usable square feet at an annual cost of \$167,340.17 (\$5.69 per sq. ft.); the First National Bank proposal was for 30,400 net usable square feet at an annual cost of \$173,600 (\$5.71 per sq. ft.); and the Dutch Plaza Lease and Proposal to move Bankers Trust to Dutch Plaza with 32,680 net usable square



feet at an annual cost of \$185,216 (\$5.67 per sq. ft.). Timmerman's recommendation was to stay where we are at the present time. Following this recommendation, Timmerman received a proposal from First National Bank to give us the 32,680 square feet needed for the same price as they proposed for the 30,400 square feet, which is \$173,600. After discussing this with Commissioner Buchanan and Commissioner Edens, Timmerman asked Tom McTeer if he would like to add anything to his proposal. McTeer presented some information to Timmerman concerning parking spaces. He provides the Department with 150 spaces at the present time. If we moved to the First National Bank Building, they would provide necessary space for pool cars and some spaces for public parking, but employees would be required to provide their own parking spaces. The municipal parking lot charges \$20 per month, and they do not have enough space available. McTeer proposed that if the Department wanted to charge the employees \$10 per month, he would drop the net square foot cost by 61¢; if you charge \$15 per month, he would drop the net square foot cost by 72¢; or if you charge \$20 per month, he would drop the net square foot cost by \$1.22 making the total cost per square foot \$4.47 if the employees were charged \$20 per month for parking. Commissioner Edens gave Dr. Timmerman permission, if he desired, to contact Tom McTeer and inform him of the letter from the First National Bank. Timmerman did so and McTeer wrote Timmerman a letter stating that he would amend his proposal to agree to lease space for the Bankers Trust office not to exceed 3,280 square feet for the price not to exceed \$6,000 per year for the length of the term terminating on the mentioned extension on the base of the lease, at Dutch Plaza. Essentially what we have is a proposal from First National Bank to lease to the Department 32,680 square feet of space for \$173,600 downtown and Tom McTeer has agreed to lease the same amount of square footage at Dutch Plaza for \$167,340.17 plus \$6,000 which would come to \$173,340.17 which is roughly a little less than \$300 better than what we originally had, plus parking for public, pool cars, and employees and other fringe benefits. Commissioner Hudson commented that this item has been taken up numerous times in the past and that the Commission has given the Executive Director the authority to proceed in one of three ways. To stay where we were, to find another place, or propose building our own building. Hudson stated that he felt that we are renegeing on our original agreement and renegotiating. We have approximately two (2) years before we can get into the Highway Department Building. Hudson stated that in his opinion it would be unwise to make this move at this time because of the confusion it would cause with the disruption, even if it were saving a few thousand dollars. Commissioner Buchanan suggested that General Services, the negotiating agency for all State Agencies as of October 1, 1976, negotiate our lease arrangement. Commissioner Edens commented that his recommendation would be that we proceed to renew our lease along these amended lines and that we get these additional (optional) benefits proposed by Dutch Plaza incorporated into the lease in writing, and stay where we are and execute the renewal when it comes up. This was made as a motion by Commissioner Edens. Commissioner Buchanan said that there would be no Escalation Clause in the first year if we decided to go to First National Bank Building. Commissioner Boykin commented that if it was a good idea to put the Bankers Trust group down near the Capitol in the first place, it should still be necessary. Commissioner Dennis stated that he feels that it was sound reasoning to have some of the Departments Executive Offices near the Capitol and that it has proven so. He stated that he strongly recommends that we continue that portion of the lease. He also stated that he feels that a move at this time would be unwise since we are on the threshold of a permanent move.



Commissioner Dennis feels that the Commission should take a good look at a proposal that he understands that Mr. McKetchin is going to bring before the Commission in regard to the Highway Department Building. Also, he stated that General Services does want input from the State Agencies as to what their needs and desire are. Dennis stated that he would second Edens motion and support it as long as it does not mean taking the option and moving Bankers Trust Office to Dutch Plaza. Edens stated that this would only be securing the option in our favor with no obligation to the contrary. Also, Edens suggested that staff look into the lease and secure the parking, and the option to move Bankers Trust offices to Dutch Plaza if we so desire. The motion was passed. Dennis stated that in the future he feels that the State of South Carolina will have to provide parking for it's employees. There were no objections to the motion, therefore Commissioner Edens motion was passed. Commissioner Hudson directed Dr. Timmerman to see to it that these options are incorporated into the lease and that it is taken care of.

Dr. Timmerman stated that the Governor has signed an Executive Order for the Coastal Zone Planning Program that we have. Staff has met and discussed the Executive Order.

At the August Commission Meeting it was requested that Mr. Bobby Holloway be examined by a certified cardiologist to determine whether or not he was physically fit for a position as Conservation Officer. Commissioner Lumpkin made recommendations of cardiologists and Chief Chastain has made an appointment for Mr. Holloway for sometime in November and as soon as this report is received, it will be presented at the following Commission Meeting.

Dr. Timmerman reported that approximately 2 years ago bonding money was approved for expansion of the Dennis Wildlife Center. Additional lands were purchased and went through the process through the Budget and Control Board and obtained an architectural firm (Lockwood Greene Engineers) and they designed the building. The plan was turned over to the Budget and Control Board staff engineer who examined and approved the plans. We went out for Bids for 30 days and the opening of the Bids was held 9/14/76. A copy of these Bids was passed out to the Commission. The low bid on the ponds was made by Smith Grading & Paving in the amount of \$380,394.00; the low bid on the facilities was made by Adams Construction Company, Inc. in the amount of \$432,900; and the low bid on the Pump and Well System was made by Heater Well Company in the amount of \$46,575. The total amount of the bid is \$859,869.00. After paying for the purchase of the land and the fees, we have about a \$400 deficit. The architect recommends that we go ahead and sign this particular bid. Commissioner Dennis stated that under these circumstances, he feels that the Legislature would recognize that the Department has come out extremely well and a contingency fund shouldn't be any problem. The architect usually recommends a 3-5% contingency fund. A motion was made by Commissioner Boykin to accept these bids. The motion was seconded and passed.

Dr. Timmerman reported that in early 1970's a Chris Craft boat (33 ft.) was purchased by the Department for \$29,793 and was used for the boating division primarily for regattas and things of this nature. Due to public criticism, Timmerman considered transferring the vessel to Law Enforcement, although, the vessel was not suited for law enforcement purposes and is more of a pleasure craft. It was then requested that the vessel be turned over to General Services to sell the vessel. The first appraisal was for \$20,000.



General Services went out for bids on the vessel and the bids were not suitable, therefore, they were rejected. It was turned over to a broker who found a buyer for \$18,500. The vessel was sold for this amount. The boating division had a great need for a storage place as well as a work area and Timmerman felt that the funds on the sale of the vessel could go towards building a permanent facility for a greater need. Staff went out for bids on construction of such a facility through General Services. A copy of the bids was passed out to the Commission. Low bidder on the contract was A. B. Youngblood Co. in the amount of \$29,793. The money is in the budget to cover the \$10,000 shortage on this. Timmerman recommended that the Commission approve this bid to build this warehouse. Commissioner Dennis made a motion to approve the recommendation of Dr. Timmerman. The motion was seconded and passed.

Dr. Timmerman passed out a list of Law Enforcement vacancies to the Commission. The greatest need is in Charleston County where there are four (4) vacancies at the present time. Timmerman stated that it costs approximately \$20,000 for fill a position for a Conservation Office, salary, fringe benefits, vehicle, etc. There are a total of thirteen (13) vacancies and we now have the money to fill four (4) of these vacancies. Staff recommends that we fill two (2) vacancies in Charleston County and one (1) in Fairfield County and this will be brought up at the next Commission meeting. This is for the information of the Commission at this time.

Dr. Timmerman passed a copy of Guidelines for Issuing Complimentary Hunting-Fishing Licenses and stated that since our Department has been in existence, we have issued some complimentary hunting-fishing licenses and in his opinion, when he took office, this had gotten out of hand, therefore he self-established some guidelines to go by. This year he has issued twelve (12) complimentary hunting licenses and thirteen (13) complimentary fishing licenses. Most states have some system, however, Timmerman stated that he had asked legal source to look into whether or not he has legal authority to do this and their findings indicate that he does not have this authority. Timmerman also stated that he has been following his predecessors in issuing these license. Timmerman asked whether or not the Commission would like for him to draft some type of information at the next Commission meeting to present the Budget and Control Board requesting authority, under certain types of limitations and restrictions, on complimentary licenses. Commissioner Dennis stated that in his opinion as a Legislative Member, if you do not have legal authority to do it, he does not feel that the Budget and Control Board can give it to you. He also stated that he feels that this is a Legislative matter and would respectfully suggest that the liason Legislative Members of this Commission take it up with their respective Committees with the view of sponsoring legislation that would give him limited power to issue such license. Chairman Hudson requested Dr. Timmerman to submit through Bill Cotty to Commissioner Dennis and Commission Bennett and let them take it up with their respective committees.

In regard to hunting on state property by Department personnel, Dr. Timmerman stated that we have a set of rules or understandings concerning this. Since then Timmerman stated that he has received additional information and has decided that it is unwise for himself or any of his personnel to hunt on land that has been purchased by or is being supported by Federal Funds and is not asking for any action on this at this time. Material has been mailed out to the Commission on this matter asking advice as to whether or not to continue with the present policies or whether or not this should be reconsidered. Chairman Hudson stated that he did not feel that the material mailed out was sufficient information on



which to base that decision and that we need to look into this further and have the information that was sent to us by the Department of the Interior. Timmerman stated that he has been unable to find this letter in his file and therefore, has asked Bill Cotty to come to the next Commission meeting if he could with all of the information he has accumulated on this matter. Chairman Hudson directed Dr. Timmerman to get all of this additional information together and mail out to the Commission and ask Cotty to attend the next Commission meeting and discuss this matter at that time. Chairman Hudson stated that he would check his files for any additional information on this subject. Timmerman stated that he checked with the Atlanta office and they stated that this originated in the Washington office.

ITEM III. OLD BUSINESS

A. LEASE OF PROPERTY AT LAKE GREENWOOD: Dr. Timmerman stated that at the last Commission meeting he was asked to run a cost benefit analysis of the cabin at Lake Greenwood, however, he did not have any cost on this cabin. The county of Greenwood paid these expenses. Commissioner Buchanan was contacted and reported that \$16-\$18 per month were spent on utilities, \$121.50 per year on insurance, \$200 per year on maintenance and other minor repairs. Bill Chastain was asked to contact the local offices in that County and reported back that the Conservation Officers use the boat landing at Lake Greenwood occasionally and the cabin for three (3) to five (5) meetings each year. Timmerman passed out a copy of the costs and benefits of lot and cabin at Lake Greenwood. There was some discussion as to whether or not the Department should continue this lease with the County of Greenwood. Commissioner Buchanan pointed out that the boat landing is the only one accessible to our officers during the fall and winter months and possibly if the Department discontinues this lease, the ramp would be closed to our boats. Two of our boats can be stored there so they won't be exposed to bad weather. The County of Greenwood has furnished this house and they have maintained it over the years. In view of this information and upon Commissioner Buchanan's recommendation, Commission Dennis made a motion to continue the lease. Commissioner Boykin seconded the motion and it was passed. This is with the understanding that this house would fall under all the guidelines as the other Department-owned houses and that Conservation Officers should be informed that two (2) boats be stored at that location.

ITEM IV. NEW BUSINESS

A. APPOINTMENTS OF ADVISORY BOARD MEMBERS: This item will be discussed at a later time.

B. PROGRESS REPORT ON EEL STUDY: Jack Bayless gave an in-depth progress report on the eel study being done by the Department. A proposal for a new study to work with Clemson and Marine Resources and others interested, along with Freshwater Fisheries Division doing a great deal of field work, with Bayless serving as coordinator for these studies. A request was made to Coastal Plains Regional Commission for this study and this has met with the approval of the Coastal Plains regionally, with Archie Todd, and is now in Sonny Trask's office to be reviewed and staff forsee Governor signing this request. In the new study, the capture methods will be looked at to see if we need new ones or not. The major change between the first study and this study is that staff will be providing assistance to growers who are interested in culturing. There are some people



in this area who are interested and are capturing their own and growing them into adults. Bayless introduced W. R. Livingston, Clifton Winkler and Erick Wowra who are in the eel business in the local area. Bayless reported that the regulations are up for renewal October 1st and he has submitted recommendations which are still negotiable. It was proposed to limit the throat size of the pot to a 2" diameter and this should let any eel in, however, will limit the size of game fish that get trapped. Also, submitted was a recommendation to seek legislation to expand these same regulations and permissive pots, etc. to all our coastal rivers. This cannot be done by regulation. Also, it was recommended that a report of catch be required on eel. Otherwise, the regulations would remain the same. There was some discussion on whether or not the size of the net used to harvest the eel should be changed. Dr. Timmerman made a recommendation that the biologists take this under consideration and if they felt a change was necessary, the Commission would be so advised and could act on it at that time.

C. DIVISION REPORTS: Benny Reeves reported that the Budget was presented to the Auditors office on 9/16/76 at 1:58 pm. A copy of this budget was passed out to the Commission. Reeves went over the Budget with the Commission and reported that the Budget Hearing would be held on October 6th and invited all of the Commissioners to attend this hearing. Reeves commented that the Department would have to get some additional revenue either from the Legislature with additional appropriated dollars or increase fees. The Commission requested that they be notified of the specific details of when, where, etc. the Budget Hearing would be held. Dr. Timmerman expressed the need for an Internal Auditor for the Department. Commissioner Buchanan commended staff for the work they did on preparing the Budget.

Jeff Fuller reported that at the Commission meeting held at Clemson, staff was instructed to look into the dove zoning situation. United States Fish and Wildlife Service has been contacted and they are willing to consider this possibility and if we do go to a zoning dove situation, we cannot start hunting in the lower zone until September 20th. If we go to a zoning situation and set a zone line, we will have to keep this line for three (3) years and they will have to have our decision stated to them by early January. In addition, information has been received from Georgia, Louisiana, Mississippi, and Alabama. Three of these states have zoning now; Georgia did have it, however, has gotten away from it. Additional information will be received from U.S.F.&W.S., plus the two studies we made two or three years ago. Fuller requested advice of the Commission as to whether or not his staff should take this information directly to the Advisory Board or to come directly to the Commission with this information. It was the consensus of the majority of the Commission that this go before the Advisory Board and then be brought before the Commission with the Board's recommendations as well as with Fuller's recommendations. Commissioner Edens stated that the Wildlife and Freshwater Fisheries Advisory Board plans to meet within the month and should have a report for the Commission at the next meeting on this matter. If so, Dr. Timmerman will be notified and this item will be placed on the Agenda.

John Culler had nothing further to report at this time. Dr. Timmerman stated that Culler and the Information and Public Affairs Division should be commended on the fine job they did on the recent issue of South Carolina Wildlife as well as the Sportsman's Calendar.

Pat Ryan gave an up-date report on the dove season stating that it looks good this year, however, Law Enforcement is still getting a great number of



complaints, despite the fact that the baiting laws have been relaxed to the point they are. There is flagrant violation in baiting. Several baited fields have been located throughout the state and cases are being made. There will be approximately twenty (20) Federal men working with our own personnel in the field on opening day of dove. Commissioner Buchanan requested that, if possible, sometime prior to January, dates be established that can be standardized for dove shooting. Commissioner Edens stated that since his Advisory Board is going to be talking about split seasons at their meeting next month, they could add this item to the agenda and bring back their findings to the full Commission. Commissioner Edens requested Jeff Fuller to get together information on opening dates of adjacent states and have this for the Advisory Board meeting.

Mike McKenzie reported that shrimp season opened and the harvest has been fairly large size and is bringing between \$1.65 - \$1.85 per pound and looks pretty good. There was no other report from Marine Resources.

Dr. H. Wayne Beam of Natural Area Acquisition and Resource Planning reported that the Governor did sign a new Executive Order last Friday reorganizing the Coastal Zone Planning and Management Council, a copy of which was passed around for information. A joint press conference was held with the Governor and Senator Waddell when the Order was signed and the atmosphere of cooperation was there and that we can continue our efforts in the Coastal Zone Planning and Management. As an outgrowth of that, staff is working on a Coastal Plains Regional Commission grant on some computer mapping and Beam expressed the desire to make a presentation in the near future to the Commission on these programs. Beam also reported that in regard to the Heritage Trust Program staff is negotiating with Continental Can for a piece of property in McCormick County, Stevens Creek Bluff made up of approximately 140 acres, and should be able to make an announcement on that within two to three weeks. Staff will keep the Commission informed on this matter. Also, staff has been cooperating with PRT on Jones Gap, a 2,200 acre tract in the mountainous area of Greenville County and will keep the Commission informed on these negotiations. Some other 500 sites in the state are being evaluated for this program. The Governor's office should have information within the next month or so as to the new Heritage Trust Advisory Board to be appointed by the Governor.

D. OFFICE FACILITY PROPOSAL: This matter was taken up earlier in this meeting.

E. ADVISORY BOARD REPORTS: Commissioner Edens reported that the Wildlife and Freshwater Fisheries Advisory Board will meet on October 4, 1976 at 10:00 in the Columbia office. Commissioner Boykin reported that the Law Enforcement and Boating Advisory Board will meet on October 5, 1976 at 10:00 in the Columbia office. Commissioner Lumpkin had to leave this meeting early, therefore, there was no report from him in regard to his next meeting.

F. SALARY REVIEW COMMITTEE: Dr. Timmerman reported that the Salary Review Committee has met and approved those submitted and a copy of the report was handed to the Chairman of the Commission according to policy.

Dr. Timmerman reported that the Commission Expense reports will be turned in quarterly, if there is no objection. There was no objection to this.

Commissioner Dennis reported that there has been a legislative commitment informally concurred in by the House and Senate for the unfreezing of merit raises and to make them effective retro-actively to July 1, 1976.

G. APPOINTMENTS: In addition to the appointments and reappointments of



salaried and non-salaried recommendations for Conservation Officers that were mailed out prior to this meeting, Dr. Timmerman made a recommendation to the Commission for a new non-pay appointment for John H. Lafitte, Jr. of Columbia to protect lands known as Beidler Tract made up of approximately 15,000 acres in Richland County. A motion was made to approve this appointment, the motion was seconded and passed. (A copy of the appointments and re-appointments has been attached to the original of these Minutes for the record.)

COMMENTS

Commissioner Edens welcomed Commissioner Dennis back to the Commission after his recent illness.

Chairman Hudson thanked Coy Johnston and WESTVACO for their hospitality and the invitation to hold the Commission Meeting at Bonneau Ferry.

Commissioner Dennis thanked Commissioner Edens and everyone for their expressions of thought during his recent stay in the hospital and stated that he was most happy to be back at the Commission meeting. Commissioner Dennis plans to be back at work in the very near future.

There being no further business to be brought before this meeting at this time, a motion was made to adjourn this meeting and go into Executive Session. The motion was seconded and passed.

Respectfully submitted,

Christine S. Murray
(Mrs.) Christine S. Murray,
Commission Secretary

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