

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Columbia, S. C.
September 18, 1981

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the Dennis Building, Columbia, S. C., at 10:00 a.m., on September 18, 1981 with Chairman Edens presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present at the meeting included Commissioners Edens, Shuler, Owen, Compton, Stubbs and Dawson. Directors and staff members present included Dr. Timmerman, Dan Dobbins, Pat Ryan, Benny Reeves, Jeff Fuller, Sonny Baines and various other staff. Guests at the meeting included Jamie Lee, Wade Crow and Milley Gibson of the City of Bennettsville, Betty Spence of the South Carolina Wildlife Federation, and Trish Jerman of the Governor's Office.

CALL TO ORDER

Chairman Edens called the meeting to order at 10:00 a.m. and introduced and welcomed all guests at the meeting.

ITEM I. READING OF THE MINUTES

Commissioner Compton moved to dispense with the reading of the Minutes of the August 21, 1981 Commission Meeting and approve them as submitted. Commissioner Stubbs seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS (For Information)

Dr. Timmerman noted that he had just returned from the International Fish and Wildlife/American Fisheries Society meeting in Albuquerque, New Mexico. We will host this meeting in 1982 at Hilton Head from September 19 - 24. Dr. Timmerman stated that he met with James Watt, Secretary of Interior, to discuss various items. Dr. Timmerman advised the Commission that he was elected First Vice President of the International Association of Fish and Wildlife Agencies. Commissioner Owen noted that he was impressed with Secretary Watt as he emphasized states' rights and the Administration's support of sportsmen. He stated that Dr. Timmerman played an active role at the Conference and that he and the Department are held in high regard by other agencies and organizations. Chairman Edens expressed concern about some organizations misrepresenting the view of Secretary Watt recently. Commissioner Compton suggested the Commission endorse Dr. Timmerman's acceptance of President of the International Association if he is elected to such. Chairman Edens asked Dr. Timmerman to submit a brief summary of what this role would involve in time and expense for appropriate action and endorsement by the Commission, if needed.

Dr. Timmerman noted that a copy of the September 8th Staff Meeting Minutes had been sent to the Commission and he emphasized Item #10 where we will be becoming more involved in personnel management in the Department. Dr. Timmerman stated



that if Supervisors do not carry out their supervisory responsibilities, then they will have to be replaced. Dr. Timmerman noted that Bill Chastain and Tommy Edwards will be contacting Commissioner Harrelson to schedule a meeting to discuss shad laws.

Dr. Timmerman discussed funds from the state duck stamp and went over the background of this legislation. The law provides that the Commission will determine how these funds will be expended. He noted there were some misconceptions at the last Wildlife and Freshwater Fisheries Advisory Board meeting over how these funds would be expended. Dr. Timmerman distributed to the Commission some staff recommendations on the use of these funds and asked that this matter be on the agenda for the next Commission meeting. He stated that other information and a copy of the law will be mailed to the Commission prior to the next meeting. Dr. Timmerman stated that he would like to see these funds used to enhance resident waterfowl and that no funds be used for new personnel for the first three years.

Dr. Timmerman noted that he served on the Law Enforcement Committee at the International Association meeting and some informal discussion was held on problems with drug smuggling. He advised the group he had been told the total value of drug smuggling in South Carolina was equivalent in value to some of our agricultural products. Dr. Timmerman stated that he was misquoted by the news media concerning this matter.

Dr. Timmerman stated that he wanted to bring the Commission up-to-date on the Union Camp project. The papers have reported that the Department of Health and Environmental Control have granted tentative approval to permits for this project. A public hearing is scheduled for October 20th and the next Commission meeting will be held on October 16th. As such, Dr. Timmerman suggested that the Department make a statement at the hearing of which a draft will be prepared and sent to the Commission prior to their next meeting. Dr. Timmerman noted that our primary concerns are with water quality and the effect on fisheries. Our staff has been working to review all available data on this project and all of our questions and concerns have been discussed with the Department of Health and Environmental Control. This agency has just issued a copy of the water quality assessment on the Union Camp Project which was passed out to the Commission for their information. Ed Duncan discussed the permitting procedure and the water quality report which was distributed. Mr. Duncan noted that we have requested that various conditions be included in the permit to protect fisheries if such is issued. The Department's statement for the public hearing and the Department's concerns for this Project will be further discussed for approval at the next Commission meeting.

Dr. Timmerman noted that the Parks, Recreation and Tourism Commission will be meeting next week and will consider a proposed lease agreement with the Department on some of the Mountain Bridge property. Dan Dobbins noted that we have



been working with the PRT staff to lease some of this property in the Mountain Bridge Project which can be used for public hunting this year. Commissioner Compton moved for the Commission to authorize the staff to work with PRT in developing leases on the Mountain Bridge property to allow public hunting this year. Commissioner Dawson seconded the motion and it was adopted by the Commission. Dr. Timmerman noted there is a lot of interest in this property in the Greenville and upstate area. Law enforcement needs for this property will have to be looked at in the future.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins reported on the Commission legislative package and the action on these proposals in the 1981 session of the General Assembly. Mr. Dobbins noted that it would be wise to restrict our legislative requests next year due to the volume of requests which were considered by the General Assembly this year. Chairman Edens noted that the Commissioners need an updated law manual. He also noted he has asked Dr. Timmerman to develop a compilation of all Commission policies and rules. Dr. Timmerman stated that we also plan to develop a compilation of administrative policies by the end of the calendar year. Commissioner Shuler noted that we need to do a better job of informing Conservation Officers of changes in the law as soon as changes become effective. Pat Ryan stated that efforts are underway to improve upon this system of informing Officers of changes in the laws.

ITEM IV. OLD BUSINESS

A. Proposed Guidelines on Vehicle Accidents: Dr. Timmerman noted this was discussed at the last Commission meeting and specific guidelines on vehicle and equipment abuse were requested from the Commission. A draft was prepared by the staff and a copy was distributed to the Commissioners by Dr. Timmerman (copy attached to original Commission Minutes). Dr. Timmerman read over this proposed policy for the Commission's consideration noting this amends an existing Commission policy on equipment abuse, thus, Commission action is needed. Commissioner Compton noted this policy needs to specify that it applies to boating accidents and some consideration needs to be given to accidents which occur during the performance of official duties. Chairman Edens noted these two items can be clarified in the final development of the policy. Subject to these two items of clarification, Commissioner Dawson moved for adoption of the policy. Commissioner Shuler seconded the motion and it was adopted by the Commission.

B. Proposed National Marine Fisheries Service (NMFS) Agreement: Pat Ryan reported that he has been working with the NMFS on a proposed agreement, but a final agreement has not been completed as yet. He stated that he hopes to have a final proposal for the Commission's consideration at the October meeting.

ITEM V. NEW BUSINESS

A. Advisory Board Appointments: These were discussed by the Commission and the following individuals were approved for re-appointment by the Commission to a



four-year term: 1) Charles Hutto was re-appointed to the Law Enforcement and Boating Advisory Board, and 2) C. Wofford Josey was re-appointed to the Wildlife and Freshwater Fisheries Advisory Board. The Commission also approved the appointment of D. P. "Buck" Moris to the Marine Resources Advisory Board for a four-year term to fill the slot of Kenneth Williams who had resigned. The Commission recommended that the Governor re-appoint Sam Crouch to the Law Enforcement and Boating Advisory Board and Coy Johnston to the Wildlife and Freshwater Fisheries Advisory Board. The Commission also recommended that Mr. Robert Ponti of Charleston Heights be appointed by the Governor to the Marine Resources Advisory Board. Chairman Edens noted that he would relay, to the Governor, these recommendations for the Governor's appointments to these Boards and he asked each Advisory Board Chairman to communicate with the Governor on this matter.

B. Proposed Annexation of Lake Paul Wallace into City of Bennettsville: Tommy Edwards reported that the Department was contacted by Milford Gibson, City Administrator of Bennettsville, proposing that Lake Paul Wallace (owned by the Department) be annexed into the city limits. Mr. Edwards noted that he researched this matter and there are no legal obstacles to this as long as the Commission and the Budget and Control Board approve this annexation. Mr. Edwards introduced Mr. Gibson, Mayor Wade Crow and Jamie Lee, City Attorney. Mayor Crow pointed out that the city limits adjoin Lake Paul Wallace and part of the lake is already in the city limits. Mayor Crow noted they have no way to provide adequate law enforcement for the lake area since it is not in the city limits and the annexation would enable a better plan for economic growth for the City of Bennettsville. Mayor Crow stated that if the area is annexed, the city's enforcement would involve only local laws and not wildlife or fishery laws. Dr. Timmerman stated that he saw no problem with the annexation as long as there is an agreement that it would not affect the Department's purposes on use of the property and no taxes on the property. Following other discussion, Chairman Edens asked Tommy Edwards and the city officials to proceed with drafting the necessary documents to accomplish this annexation which would protect the Department's rights and responsibilities for Commission's consideration at a later time.

C. Proposed Fall Turkey Season: Brock Conrad discussed a staff recommendation for a proposed fall turkey season in portions of the Western and Central Piedmont Hunt Units (copy attached to original Commission Minutes). Following discussion by the Commission, Commissioner Compton moved for the Commission to approve this proposal as recommended for one year. Commissioner Dawson seconded the motion and it was adopted by the Commission.

D. Division Reports:

1. Administrative Services: Benny Reeves noted that the detailed FY 82-83 budget is being prepared and a copy will be made available to the Commissioners in October. Mr. Reeves distributed, to the Commission, a draft minority business enterprise plan which is required under the new state procurement law (copy attached to original Commission Minutes). The plan includes a statement of policy



regarding minority business enterprises which was sent to the Commission. Last year, \$45,000 of state business was generated to minority businesses by all agencies. Of that amount, \$40,000 was provided minority businesses by the Department. Following discussion of this by Mr. Reeves, Commissioner Stubbs moved for the Commission to adopt the Statement of Policy on Minority Business Enterprises as presented by Mr. Reeves in the draft plan. Commissioner Dawson seconded the motion and it was adopted by the Commission. After discussion of the draft plan, as submitted, Commissioner Dawson moved for approval of the Minority Business Enterprise Plan as submitted subject to a 10-day review period for any Commissioner to comment and to have such incorporated into the plan. Commissioner Stubbs seconded the motion and it was adopted by the Commission.

2. Wildlife & Freshwater Fisheries: There was nothing further to report.

3. Law Enforcement & Boating: There was nothing further to report.

4. Information & Public Affairs: Sonny Baines advised the Commission that the Department and the Wildlife Federation are hosting the Operation Respect Conference in Greenville on September 26th. The Commissioners were invited to attend.

5. Marine Resources: Dr. Joseph distributed a copy of the Division's monthly report which was not included in the Commission packet. Dr. Joseph advised the Commission that the staff participated in a series of public hearings along the coast with the House Agriculture and Natural Resources Committee on recommendations from the Shellfish Study Committee. The Commission was advised that the Atlantic States Marine Fisheries Commission will meet in Charleston the week of October 5th and the Commissioners were invited to attend. Dr. Joseph stated the precise times and schedule for this meeting will be sent to the Commissioners.

E. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen noted that the Board will be meeting on October 1st.

2. Law Enforcement & Boating: Commissioner Shuler noted that the Board discussed the fact that there are no points assessed for Game Management Area violations. The Board recommended that a six-point violation for GMA violations be established under the points system law and that such be recommended to the General Assembly next year. Commissioner Shuler moved for the Commission to adopt this recommendation. Commissioner Compton seconded the motion and it was adopted by the Commission.

Commissioner Shuler noted that the Board has discussed a retirement policy for law enforcement personnel as there is no explicit policy on retirement for Conservation Officers. Commissioner Shuler asked this be on the agenda for the October Commission meeting to go over the recommendations from the Board. Chairman Edens stated this would be placed on the agenda.



Commissioner Shuler stated that the Board has been working on coming up with funds to properly recognize the Conservation Officer of the Year and retiring employees. Commissioner Shuler noted that he has a check for \$1,000 from the Daniel Foundation of South Carolina which was passed around to the Commissioners along with a note. Commissioner Shuler noted that a Board member, W. D. Morris, has contacted numerous groups to seek funds and he moved for the Commission to thank him for his efforts on this matter, through a letter of commendation. Commissioner Compton seconded the motion and it was adopted by the Commission. Dr. Timmerman stated this check will be placed in the Cantey Fund from which it can be spent for these purposes.

Commissioner Shuler noted the Conservation Officer of the Year recognition will be held next month on the same date of the October Commission meeting at the Carolina Inn. He asked the Commissioners to attend this recognition following the October Commission meeting.

Commissioner Shuler moved for an Executive Session following the regular meeting to discuss personnel matters. Commissioner Owen seconded the motion and it was adopted by the Commission. Chairman Edens announced that an Executive Session will be held following the regular meeting to discuss personnel matters.

3. Marine Resources: Commissioner Compton stated that Minutes of the Board's meeting will be mailed to the Commissioners. He asked that the Commission vote on changes in the three-mile limit policies at the October meeting and requested that this matter be on the agenda.

4. Heritage Trust: There was no report from the Board this month.

F. Salary Review Committee: Dr. Timmerman stated that this report is in order and a copy has been sent to the Chairman.

G. Appointments: Dr. Timmerman distributed a copy of the recommendations for appointments and re-appointments of Conservation Officers and Deputy Wildlife Conservation Officers (copy attached to original Commission Minutes). Chairman Edens recommended that they only be sent entire packages on disapprovals of appointments or re-appointments of Deputy Wildlife Conservation Officers and new Conservation Officer appointments. All other appointments and re-appointments can be provided the Commission in a listing as is provided at each Commission meeting. By unanimous consent, the Commission agreed to follow this procedure. All appointments, re-appointments, change of authority, etc., were approved by the Commission as recommended. Dr. Timmerman informed the Commission that Donald Pinckney will be promoted to Lieutenant in District #4.

H. Other Remarks: There were no further remarks from the Commissioners.



I. Time and Place of Next Meeting: Chairman Edens announced that the next meeting will be held in Columbia on October 16, 1981, at 10:00 a.m. Chairman Edens asked the Commissioners to try to attend the banquet for recognizing the Conservation Officer of the Year at the Carolina Inn following the next Commission meeting.

ITEM VI. ADJOURN

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

