

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION

August 27, 1976

Fort Johnson
Charleston, South Carolina

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the newly completed auditorium of the Marine Cooperative Research Facility in Charleston, South Carolina at 10:00 am on August 27, 1976 with Vice-Chairman Lumpkin presiding over the meeting. Others present were Commissioners Boykin, Bennett, Shuler, Trask, Edens and Buchanan; Advisors Ratterree, Johnston, Crouch, Ford; Directors and Staff Members Timmerman, Joseph, Burrell, Ryan, Fuller, Culler, Reeves, Beam, Robertson, Pendarvis, Courie, Campbell, Latimer, Evans, Cartee, Welch, Chastain, Logan, Stansell, Strange, Conrad, Durrant, and others; Guests Dr. Jay Hair, President, South Carolina Wildlife Federation, Mr. Larry Vickery and Mr. Tom Hawkins, South Carolina Chapter of Trout Unlimited, Ms. Phyllis Mayes, State Personnel Research Unit, Representative David F. McInnis, House Ways and Means Committee, Mr. Frank Cagianno, House Agriculture and Natural Resources Committee and various others.

CALL TO ORDER

CALL FOR EXECUTIVE SESSION: No call was made for an Executive Session to follow this meeting.

ITEM I. READING OF LAST MEETING MINUTES: A motion was made, seconded and passed to dispense with the reading of the last meeting minutes and they were approved with no corrections or additions.

ITEM II. COMMENTS

Guests were introduced by Dr. Timmerman as follows: Representative David F. McInnis, House Ways and Means Committee, Mr. Frank Cagianno, Research Assistant for the House Agriculture and Natural Resources Committee, Ms. Phyllis Mayes, Research Unit of State Personnel, Larry Vickery and Tom Hawkins representing South Carolina Chapter of Trout Unlimited. Several Advisory Board Members were also in attendance at this meeting.

Dr. Timmerman introduced Dr. H. Wayne Beam as his selection out of eighteen (18) applicants to replace Dr. E. A. Laurent as Director of the Division of Natural Area Acquisition and Resource Planning. A motion was made, seconded and passed by the Commission to approve Dr. Timmerman's selection. Dr. Beam's resume was mailed out to the Commission prior to this meeting.

It was reported that the Commission was polled and has accepted the gift of property at South Island left to the South Carolina Wildlife Department by Thomas Yawkey. Staff is in the process of doing a detailed management study of the property which should be available by the middle of September. This will be presented to the Board of Trustees of the Yawkey Foundation and upon their approval the Department will proceed on with the management plan. Staff is also in the process of determining the exact acreage involved for our information, as well as to assist in the assessment of the value of the property. Marine Resources is doing a perimeter boundary of the area. Numerous requests



from the press have been received to visit the property, therefore, plans are being made for sometime in late October or early November to invite the press as a whole and the Governor to tour the property. A Trust has been set up in the amount of \$10,000,000 of which a portion can go into the overall operation for management for the property. Staff hopes to have a plan for the review of the Commission and the Trustees of the Foundation by the October Commission Meeting.

At the last Commission Meeting a proviso within the budget was passed out outlining utilization of Department aircraft. In addition to this, staff has drawn up a procedure to be used within the Department which includes maintenance of an aircraft flight log, aircraft reservations forms for personnel flights, in addition to aircraft utilization charges. A copy of this procedure was passed out to the Commission. Many of the Department divisions are under certain types of grants and it was felt that it was unfair for Law Enforcement, on their very tight budget, to finance all aircraft use. When survey work is being done, and there is a grant in another division to pay for it, funds will be transferred from one division's funds into another division's funds.

Staff is in the process of updating Title 28 which includes all of our laws. Personnel from all functional divisions will have an input into this updating. A proposal will be made in the next legislative session for this updating.

Dr. Timmerman passed out a copy of a letter he received from Governor Edwards stating that he wants this agency to continue to act as core staff for Coastal Zone Planning. He is in the process of reworking the Executive Order to continue the operations of the Coastal Zone Planning and Management Council. This will allow us to apply and hopefully receive another year of funding for this particular project. The new Executive Order should be reissued on or before September 12, 1976.

An intitation has been extended by WESTVACO to hold the September 17th Commission Meeting at Bonneau Ferry. Those who wish to may arrive on Thursday anytime after lunch for a deer hunt and dinner. Friday morning there will be a deer hunt and the Commission Meeting at 10:00 am followed by lunch.

In addition, Dr. Timmerman stated that the Commission and staff has been invited to Palmetto Bluff for two days in September. The Commission chose September 24th and 25th.

Also, announcement was made of the Southeastern Association of Game and Fish Commissioners meeting October 24th through 27th in Jackson, Mississippi and the 66th Annual Conference of the International Game and Fish Commissioners September 22nd through 24th in Deaborn, Michigan. Anyone Commissioner wishing to attend is invited.

Dr. Timmerman informed the Commission that they had approved the application of Mr. Bobby Holloway as a conservation officer, subject to a physical. Mr. Holloway was examined and not recommended for the job, due to



hypertension. However, his family doctor has stated that his health condition was adequate for the job. Thus, Dr. Timmerman asked the Commission for a decision on this matter. Dr. Lumpkin stated that he had reviewed the file on Mr. Holloway and recommended that a neutral certified cardiologist examine him and the Commission accept his recommendation. Commissioner Boykin made a motion to this effect and such was approved by the Commission. Commissioner Buchanan abstained from voting on this motion since this man was in his District. Commissioner Edens recommended that the physical include a stress test. Dr. Lumpkin noted that he would recommend two of three cardiologists in Columbia that could perform the physical.

PRESENTATION BY S. C. CHAPTER OF TROUT UNLIMITED: Mr. Larry Vickery, President of the South Carolina Chapter of Trout Unlimited, was recognized by the Commission. Mr. Vickery addressed the Commission on the proposed Bad Creek Pumped Storage Project noting that it has the potential to disrupt the two-story trout fishery at Lake Jocassee as well as the trout spawning grounds in Howard Creek. This project is under review by the Federal Power Commission and subject to issuance of a license within one to three months. Mr. Vickery was appealing to the Commission to take a position against the project, initiate measures to intervene in the licensing procedures, implement a public education program on the losses of habitat from the project and seek mitigation of loss of resources. Dr. Timmerman stated that the Department has submitted objections to the project. The Commission moved to accept this as information at this time and have the staff take whatever measures feasible.

ITEM IV. OLD BUSINESS

A. 1977-78 PROPOSED BUDGET: Benny Reeves presented the FY 1977-78 Budget proposal. He noted that his staff had met with the Commission Finance Committee and discussed the new budget concept. The Department's allocation of about \$255,000 has been prioritized and distributed to the Divisions by Dr. Timmerman. The critical area of concern is the new requirement that the Department assume paying fringe benefits of law enforcement personnel. It is hoped that such can be phased in through FY 1978-79. Otherwise, some other measures will have to be taken to absorb this matter. Commissioner Buchanan noted that his Committee concurred with the proposed budget. He noted that we may need to look toward increasing licenses and fees to attain more revenue. Commissioner Trask noted that he had discussed this matter with Senator Waddell and recommended that the staff discuss this matter with him. Commissioner Bennett stated that he felt that there was a good chance to use county funds to absorb these fringe benefits. Dr. Timmerman noted that after the General Election the staff will be meeting with county delegations and offering recommendations. Representative McInnis noted that if we make an appeal now to the delegations, they may approve absorbing the fringe benefits. Dr. Timmerman noted that other fiscal problems included the Stevenson bill that will cost about \$40,000 to implement and existing law enforcement vacancies that can't be filled due to lack of funds to equip an officer. Commissioner Buchanan move that the proposed budget be approved. The motion was seconded and passed.

B. LEASE OF PROPERTY AT LAKE GREENWOOD: Dr. Timmerman discussed the



lease on the house at Lake Greenwood between Greenwood County and the Department. According to the agreement, our Department is responsible for the upkeep of the property, utilities, insurance, etc. Dr. Timmerman feels that if we are not going to keep the lease, we should bring our commitment up-to-date. If the facility is kept under lease by our Department, the facility would have to fall under the rules and regulations of the Department and the State on the use of property. The primary use is for law enforcement and it was used only three or four times last year for this. Commissioner Buchanan stated that the facility was being used for boat storage, division and district meetings and employees of Greenwood County. Commissioner Trask moved that the lease be broken, which was seconded by Commissioner Boykin. Commissioner Edens noted that the staff should attain data and information on the benefits, costs, and utilization of the facility and bring to the Commission at the next meeting. Commissioner Trask withdrew his motion based on this recommendation. Thus, this will be presented at the September Commission meeting.

C. STATUS OF BORDER DISPUTE WITH GEORGIA: In regard to the Commission's request for legal action on the border dispute with Georgia, Mr. Latimer noted that Attorney General McLeod is evaluating this matter and has not reached a decision on whether or not to file suit. In addition, Mr. Latimer stated that the remote possibility of a legislative agreement is being considered.

D. PROGRESS REPORT ON PROCEDURE FOR SELECTION OF CONSERVATION OFFICERS: Al Courie introduced Ms. Phyllis Hayes, State Personnel Research Unit who presented a report on her findings for the basis of a selecting procedure for law enforcement personnel. The two main considerations of the procedure were cost and ability to be legally defensible. Bill Chastain noted that the purpose of this procedure is to serve as a basis for implementing a statewide hiring procedure approved by the Commission. Dr. Timmerman noted that the Clemson location study should be available for presentation in September or October.

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and it was passed by a split vote. All the other seasons were approved as proposed. Commissioner Bennett favored the 3:00 pm closing because most duck hunting is over by 12:00 noon in his opinion. The motion included the recommendation that we start an intensive education process to the people that we are considering the 3:00 pm closing for next year.

B. REVISED PROCEDURES FOR PROMULGATING AND FILING RULES AND REGULATIONS: Ed Latimer informed the Commission that a new law has been adopted relative to the promulgation and filing of rules and regulations. He stated that the new system would take some authority from the Commission in the promulgation of rules and regulations. He felt that even though it is a change in procedures, the Department can live under such without any adverse impacts.

C. DEPARTMENT POLICY STATEMENT: Dr. Timmerman distributed to the Commission as information a departmental policy statement and a policy statement on the function of each Division.

D. RESULTS OF POSITION QUESTIONNAIRE EVALUATION: Dr. Timmerman noted that the Department presented in-depth questionnaires on all employees to the State Personnel Division for evaluation. Some of the recommendations were not accepted and the staff is now negotiating and rejustifying various positions. This should be completed by the end of September.

E. DIVISION REPORTS: Law Enforcement Division: Bill Chastain reported to the Commission on the law concerning baiting of fields. He noted that the law states that it will not be considered "baiting" if it is bona fide agricultural process. The law is very liberal concerning this matter. Chastain presented a discussion on the matter.

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G. ADVISORY BOARD REPORTS: Dr. Lumpkin reported that Mr. Charles H. Ratterree, Jr. has been elected Vice-Chairman of the Marine Resources Advisory Board. Commissioner Edens reported that Coy Johnston has been elected Vice-Chairman of the Wildlife and Freshwater Fisheries Advisory Board and that they would meet the second Thursday every other month starting October. Commissioner Boykin reported that Mr. Gaines Smith had been elected Vice-Chairman of the Law Enforcement and Boating Advisory Board. The Heritage Trust Advisory Board is in the process of being reconstituted.

H. APPOINTMENTS: Dr. Timmerman noted that all appointments and re-appointments had been mailed out to the Commission. In addition, he presented four additional re-appointments that were not mailed out due to his being out of the office. These were approved by the Commission subject to the approval of the resident Commissioners. (A copy of the appointments and re-appointments has been attached to the original of these Minutes for the record.)



COMMENTS:

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Respectfully submitted,

(Miss) Christine Stapleton,
Commission Secretary

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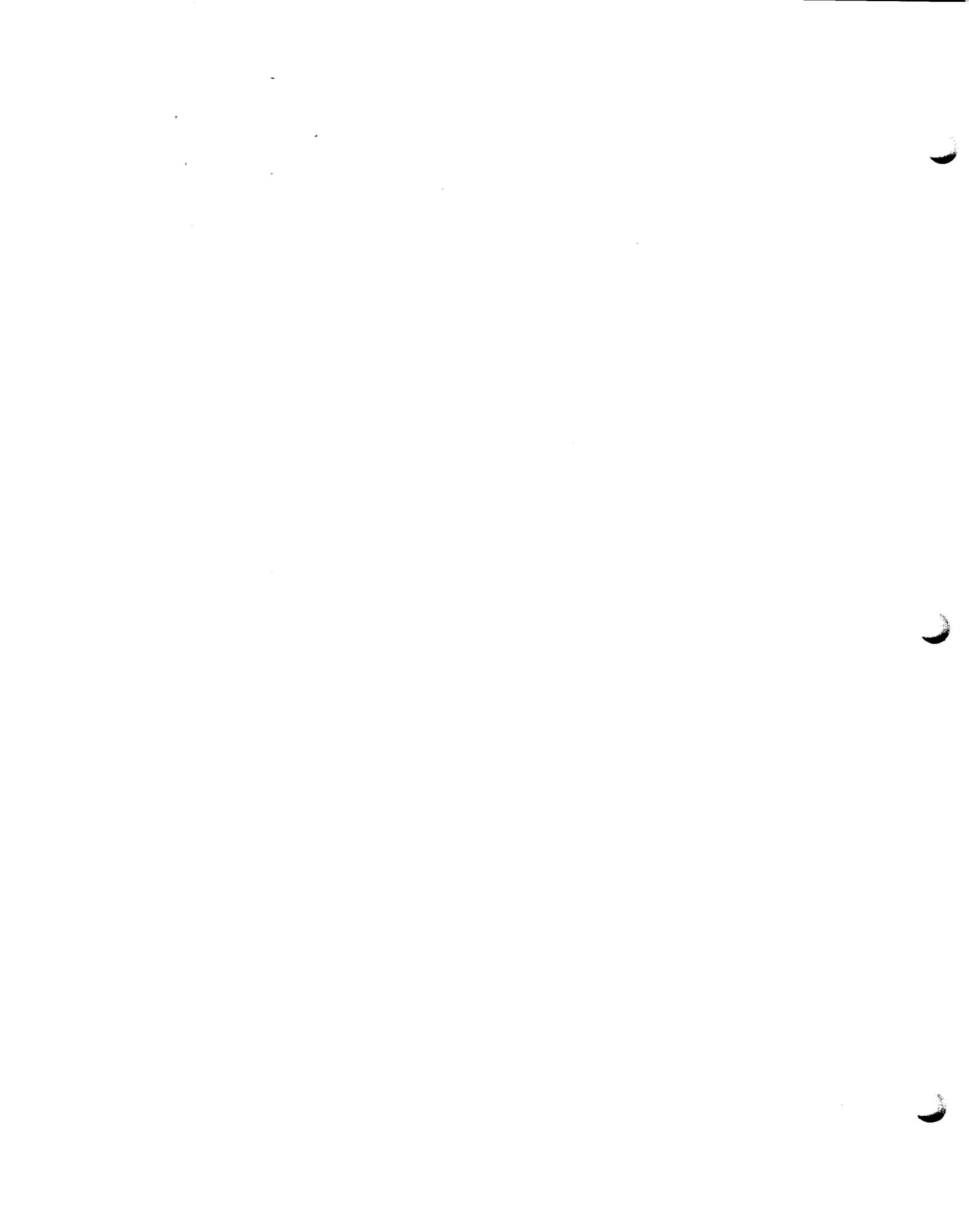
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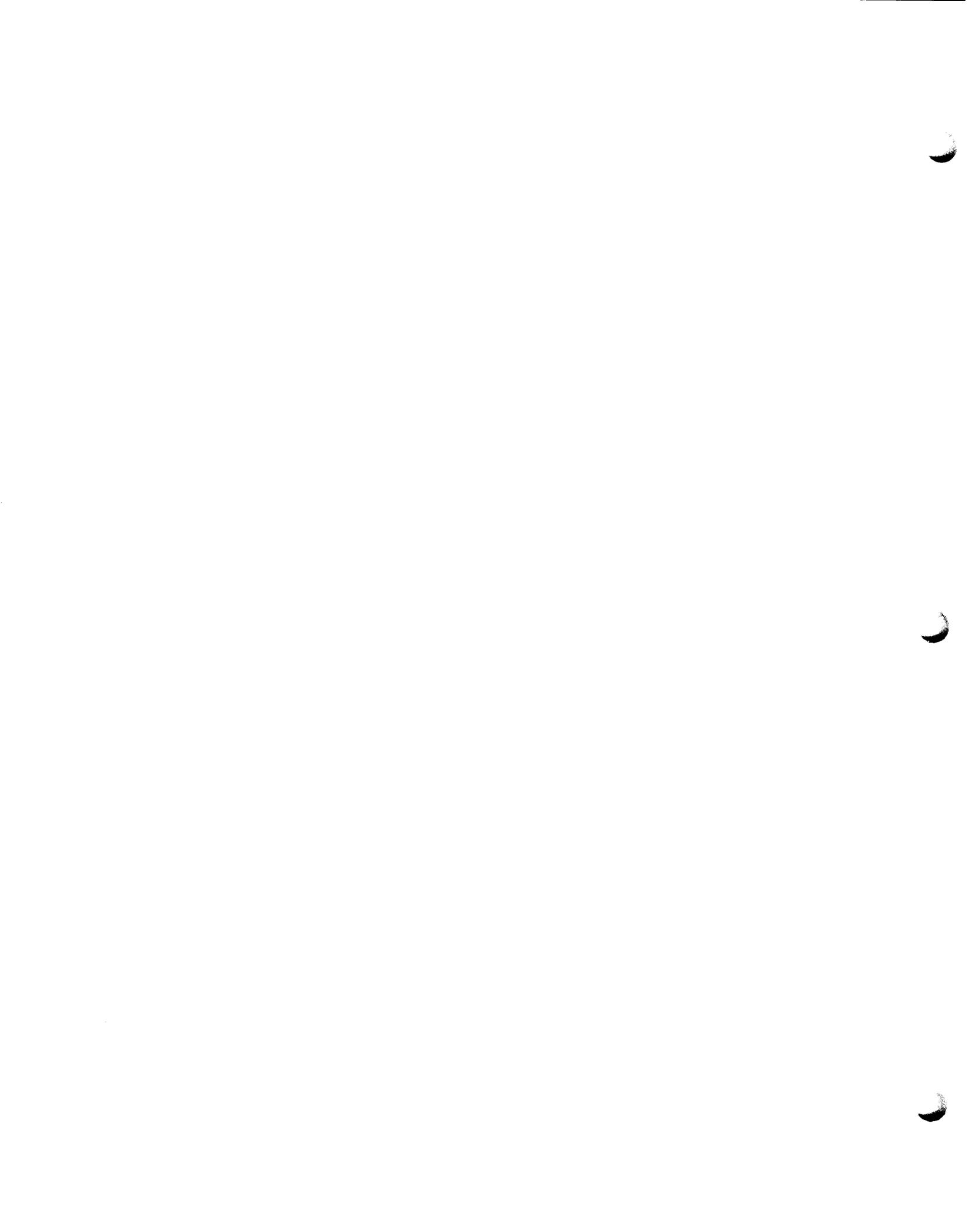
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Respectfully submitted,

Christine Stapleton

(Miss) Christine Stapleton,
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Bonneau, South Carolina

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CALL TO ORDER

*Correction to
August Minutes*
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

