



MINUTES

S. C. WILDLIFE & MARINE RESOURCES COMMISSION
The James W. Webb Wildlife Center and Management Area
Garnett, South Carolina

December 20, 1974

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at the James W. Webb Wildlife Center and Management Area at Garnett, South Carolina on December 20, 1974 at 10:00 am with Chairman Hudson presiding. Other Commissioners present were Boykin, Harris, Glenn, Buchanan, Bennett and Lumpkin. Advisors present were Art Williams and Sam Crouch. Other present were Dr. Timmerman, Dr. Joseph, Pat Ryan, Wash Belangia, John Culler, Dr. Laurent, Jeff Fuller, Charles Bearden, Tommy Welch, Ed Latimer, various other staff members and a reporter from the State Newspaper.

CALL TO ORDER

ITEM I. READING OF LAST MEETING MINUTES: The minutes were approved as mailed out with the correction that the figure on the bids should have been \$2,081,000 instead of \$1,081,000.

ACTION REPORT

1. Employment Description - Executive Director's Position: Chairman Hudson stated that he has mailed a letter to the Commissioners containing this information. The Commission was in agreement with this letter and the original will be given to the Executive Director (Dr. Timmerman) following this meeting.

2. Trespassing - Shellfish Leased Areas: Mr. Ryan reported that his Division has been working on this with Dr. Joseph and are now in the process of finalizing the mechanics. This will be completed in the near future.

3. Management Problem - Belmont: Dr. Timmerman reported that he has been working with Jeff Fuller, the Biologists and Pat Ryan on this and will have a definite procedure for working out this problem at the next meeting.

4. Marine Cooperative Research Facility: This contract has been awarded to Palmetto Construction Company. This is for the basic building.

5. Architect Approval - Dennis Wildlife Center: The Committee has narrowed this down to three firms which are Smith & Fuller of Florence, Bloom, Cannon & Ott of Columbia, and Lockwood-Greene of Spartanburg. These three firms will be asked to come back in within the next three weeks and the Commissioners will be invited to attend and notified of the date, time and place. After this Committee determines which firm is to get the job, they will then get Budget & Control Board approval, prior to the next Commission meeting. Large jobs will follow this procedure because of a Budget & Control Board ruling.

Jobs under \$70,000: A rotating group of architects capable of doing



these jobs will be retained. We will get Budget & Control Board approval of the group and when we have small jobs, we can just retain a firm to do this instead of going through the bidding process. Dr. Timmerman has a list of people who have submitted applications and are qualified.

Dr. Timmerman told the Commission that the Budget and Control Board has asked the Department to oversee the construction of a lake in Union County. Bonding money was approved on this and we have advertised for engineers and have a list of nineteen (19). He asked the Commission if they want the staff to narrow this down and do this all at one meeting, or meet at three separate times.

Chairman Hudson suggested that on the \$70,000 and under jobs that the staff review these people and reduce that to the eight that the Budget & Control Board has recommended. On the Lake Long - Union, South Carolina this would have to fall under the same rules as the Dennis Center. Suggested that staff, and any Commissioner that might want to attend the presentation, narrow this down to three firms and this group will come in the same day the group for the Dennis Wildlife Center project comes in and the Commission will be notified of the date, time and place for these two groups to make their presentations. The Commission will then select one firm from each group and these two firms will be the ones we ask Budget & Control Board approval on. After this approval, at the January Commission meeting we will get final approval from the Commission on these firms. The resumes on these firms will be mailed out to the Commission prior to these presentations.

6. Age - Bona Fide Occupational Qualifications: Ed Latimer reported that this past year all State Agencies were brought under the terms of a Federal Act whereby you cannot have age as an absolute or direct qualification. You can have it as an indirect. If these officers can meet qualifications at the Police Academy, they are qualified. You cannot use age. A motion was made that the Commission reverse their position on this and adopt a policy of complying with Federal and State Laws. It was seconded and passed. Wash Belangia was instructed by the Commission to review personnel practices and procedures criteria and advise the Commission at the next meeting of any instances where we are not in compliance with the Federal and State Laws and propose changes.

7. Advisory Board - Game and Freshwater Fisheries Vacancy - Dan Marett: Chairman Hudson reported that he has written Mr. Marett and he has accepted this appointment. This was approved by the Governor.

8. Three Acres Land - Major Jones: Ed Latimer passed out a copy of a Resolution that has been prepared for the Commission to act on. This involves a three acre portion of a tract of land the Department acquired from Major Jones. At that time the understanding between the parties was that if the Department and the Commission decided to declare this land surplus, Major Jones would have the option of repurchasing. The Resolution sets out the history of the transaction and the amount is \$750. A copy of the platt was also passed out. This was in error. Where it shows S. C. Wildlife it actually belongs to someone else. This has been corrected on the original platt that will be recorded along with the deed. This is the same price that the Department originally



purchased this land for. Commissioner Boykin reported that the Committee met and discussed this and went over the material. The Committee recommends that the Commission allow this man to repurchase this land. A motion was made, seconded and passed. Ed Latimer recommends that Chairman Hudson sign the Resolution and Dr. Timmerman will sign the deed.

9. No Trespassing and Out-of-State Hunter Trespassing: There was much discussion on this subject and Commissioner Harris reported that this was discussed at the Advisory Board meeting and the feeling there was that this is an area where we need continuous improvement in the areas of communication and law enforcement. Do not feel that this problem can be solved with any further regulations or orders. There was several ideas discussed and Pat Ryan told the Commission of a communication system by a toll free telephone to be installed on a trial basis. This would be a state wide telephone system and when the landowners cannot get in touch with a Conservation Officer, they could call this number. It was suggested that John Culler get this out to all newspapers and any other way to notify the public. Commissioner Lumpkin suggested checking with Maryland and Florida on their trespassing laws. Also a tagging system was discussed. Wash Belangia will look into the feasibility of listing the Game Wardens in the phone book. Timmerman will report back to the Commission what definite action has been taken.

*Baiting Duck Ponds: This subject came up and the Commission went on record reaffirming their position that if we find this situation we will notify the landowner and red tag the pond and if he shoots it we will ask for the maximum penalty.

10. Salary Review Committee: Chairman Hudson noted that Ruth Ann Barnes in the Purchasing Division was given an Outstanding Performance rating by her Supervisor. The normal course of salary action will be taken. Dr. Timmerman reported on the salary appraisals to the Chairman of the Commission.

11. Reclassification of Conservation Officers: Timmerman reported that he asked Personnel Division to do a Brown Study. This is being looked into. Wash Belangia reported that Dr. Mullins, along with the Brown Group have been asked to come in and study the entire agency, giving emphasis on Conservation Officers and Biologists. They will begin on this after the first of the year. Wash will follow up on this as soon as this is done and report to the Commission.

Item II. D. Inventory of Department Equipment: Timmerman reported that justification of all vehicles is being done and this will be available by the next meeting.

Item III. NEW BUSINESS

A. Liability Insurance for Conservation Officers: Ed Latimer reported to the Commission on some cases in the past where Conservation Officers have been sued and gave background on the laws as far as liability insurance goes. Suggests strongly to get these officers insured. Wash Belangia reported that he has talked to Mr. McKeetchen and they have had one meeting and laid out guidelines. The amount will be somewhere between



\$10,000 - \$20,000. There will be no cost until they get the contract and determine what they are going to bid on. It was the feeling of the Commission that we should proceed to get this coverage. Wash Belangia was requested by the Commission to push hard to get answer for the Department by the next meeting. Also suggested looking into the various limits. Belangia will report at next meeting.

S. C. EDUCATION & TRAINING FUND, INC.: This was a fund set up a number of years ago for getting private donations for use by the Department in training officers. It has been rather dormant for the past few years. When the Cantey Fund discussion came up, Ed Latimer suggested to Dr. Timmerman rather than setting up a separate fund, we incorporate the Cantey Fund into the existing Corporation. We ran into some trouble with the Federal Internal Revenue Service as they were questioning the validity of the existing fund. Convinced them that eventhough it didn't show on the face as a governmental corporation, that it was being run as a governmental corporation and that was the way it was originally set up. A copy of the proposed draft of the original by-laws to satisfy the IRS was passed out. The change in Board of Directors to the Executive Director and largest contributor, being administered by the Commission and setting up an Advisory Board of the largest contributors, one for the Cantey Fund and one for the existing fund. This is set up entirely as an eleemosynary corporation for channeling of donated funds for the use of Conservation Officers and other employees of the Department. A number of donations for the Cantey Fund have been sent in and are being held at the present time. Latimer suggests that these funds be deposited in a separate account, but being administered by the same corporation. It was stated that this would be acceptable to the Commission if the existing Board passes it over to them. A meeting of that Foundation will be held as quickly as possible and transfer this over. Would like to have John Cantey look it over first. A motion was made, seconded and passed to approve this change.

B. Heritage Trust: Chairman Hudson announced a grant given to us by the Department of the Interior of 1.8 million dollars to acquire barrier islands. We have already gotten that figure up to 2 million through some state funding which was worked out this morning. We have an offer on Capers Island to sell it to the state. We have an appraisal. The offer is under the appraisal. It also includes a conservation easement on Dewees Island and the Governor is going to announce this morning that we are going to proceed with those negotiations with those people and hopefully by the next meeting the Wildlife Department will have Capers Island and the conservation easement on the other one. Dr. Laurent gave background on Heritage Trust and a slide show was presented on the program, which is used around the state to let the public know what Heritage Trust is all about. This slide show is available to any group interested.

C. Financial Statement: The financial statements were mailed out.

D. Division Reports: John Culler reported that the Information & Public Affairs Division was having a deer rack measuring program. Are having good response and are going to establish the top 100 deer racks in the state. Also a magazine brochure will be sent out in all tax refund checks this year. Andy Laurent reported that the Coastal Council



has come out in a draft bill which we will receive shortly. Wash Belangia reported that the computer did not give valid data on the expense reports on the automobiles, but should have the correct information by the end of the fiscal year. Dr. Joseph reported on the Stone Crab Law. Have come up with a very brief bill for proposed legislation that provides minimal protection. He read this to the Commission and reported that the Advisory Board concurred with this recommendation and recommends that the Commission approve it. Commissioner Lumpkin made a motion to approve, Boykin seconded and it was passed.

DECALS ON EQUIPMENT: The Commission reaffirmed their position that all Department owned vehicles, etc. are to be marked with the Department decal except supervisory personnel. Dr. Timmerman asked the Commission to clarify what supervisory personnel means. Commissioner Lumpkin suggested that the Commission spell this out for the Director and Commissioner Harris suggested letting Dr. Timmerman tell the Commission which vehicles should not be marked and why at the next Commission meeting. Timmerman will report back to the Commission.

E. ADVISORY BOARD REPORTS: Game & Freshwater Fisheries Advisory Board recommends that a license be established in order to provide a standardize guide service for persons using our waters, residents and non-residents. That persons offering themselves for hire for fishing guide be licensed as such by the Wildlife Department annually. The requirement for obtaining said license be regulated by the Wildlife Department with the following suggestions as guidelines. This report came up from a study by the Advisory Committee. They contacted eighteen states for their information. Advise not to establish hunting guides at this time, only fishing. Chairman Hudson suggested letting the staff review this study further and come back to us with their ideas and corporate them into this before taking action. More information will be available at the next meeting.

G. APPOINTMENTS: It was recommended that W. R. Dubose, Summerton, Clarnedon County; Jimmy Franklin Sanders, Olar, Barnwell County; and David J. McLhinney, Sumter County, be approved as salaried Conservation Officers. A motion was made, seconded and passed to approve these appointments subject to the resident Commissioner's approval.

Not mailed out prior to this meeting were recommendations for approval of Frederick Taylor, Colleton County as a salaried officer; J. B. Sonny Ellis, Bonnie Hall Duck Club, non-pay; and William A. Johnson, Pawley's Island, Kinlaw Plantation, non-pay. A motion was made, seconded and passed to approve these recommendations subject to the resident Commissioner's approval.

A motion was made, seconded and passed to approve all of those recommendations that were mailed out prior to this meeting.

Mr. Malie of Arcadia Plantation needs a Countywide Commission and presently is commissioned only on the Arcadia Plantation lands. A motion was made, seconded and passed to change to Countywide.

There being no further business the meeting was adjourned and the Commission went into Executive Session. No minutes were taken in that Session.

Respectfully submitted,
Chris Stapleton
(Miss) Chris Stapleton, Secretary

