

MINUTES

SOUTH CAROLINA WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Room 335
Rembert C. Dennis Building
Columbia, S. C.
January 15, 1993
10:00 A.M.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at 10:00 A.M., on Friday, January 15, 1993, in Room 335 of the Rembert C. Dennis Building, Columbia, S. C., with Chairman Burnside presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present included: Commissioners Burnside, Graham, Poston, Rasor, Leary, Miller, Pendarvis and Haynsworth. Directors and staff members present included: Dr. Timmerman, Dan Dobbins, Brock Conrad, Bill Chastain, Benny Reeves, Sonny Baines, Paul Sandifer, Buford Mabry and various other staff members and guests.

CALL TO ORDER

Chairman Burnside called the meeting to order at 10:00 A.M. and welcomed everyone to the meeting.

Chairman Burnside called on Lt. Van McCarty to open the meeting with a brief benediction and a moment of silence.

ITEM I - READING OF THE MINUTES

The Commission adopted a motion to approve the Minutes of the November 20, 1992 Commission Meeting.

ITEM II - COMMENTS

Dr. Timmerman introduced Mr. Gene DuPont who presented a photograph to the Commission stating that it would be hung in the Lodge at the Donnelley Center. The Commission thanked Mr. DuPont for his kind gift.

Dr. Timmerman distributed budget information to the Commission, indicating the Department's budget request for 1993-94 and other pertinent information.

Dr. Timmerman introduced Ms. Carolina Agardy to the Commission, indicating that she would be serving as the Department's Personnel Director. Ms. Agardy made comments to the Commission and was welcomed by the Commission.

Dr. Timmerman distributed copies of the Department's Annual Report, as well as a Quarterly Vehicular Accident Report.

Concerning the Accident Report, Dr. Timmerman reported to the Commission that the Department had developed an Accident Review Committee to review accidents and serve as part of the disciplinary system for accidents.

Dr. Timmerman stated that he had been asked to serve as an ex officio member of the Board of Directors for the South Carolina Aquarium. Dr. Timmerman stated that he had gotten a ruling from the Ethics Commission and they saw no problem with him serving on the Board, but that there may be occasions when the Department may have to issue scientific collection permits to the Aquarium to collect native species. While he is the normal signatory of such permits, he asked the Commission to authorize Dr. Paul Sandifer to act as the Department's agent in signing such signatures in the future for the Aquarium, if they are needed, to ensure that there is no breach of ethics. Chairman Miller made the motion that the Commission authorize Chairman Burnside or Dr. Sandifer to sign or issue any subsequent permits to the State Aquarium, Commissioner Pendarvis seconded the motion and the motion was passed. Dr. Timmerman stated that he was very saddened to have to report that there had been several deaths in the "Department family" over the recent weeks and advised the Commission that Dr. Edwin Joseph has been in ill health and is gravely ill in the Roper Hospital in Charleston. He asked the Commission to remember him in their thoughts and prayers.

ITEM III - OLD BUSINESS

A. Update - Highway 17 Widening Project: Chairman Burnside called on Ed Duncan to give the Commission a brief report on the progress of the project. Mr. Duncan reported that the Department had just recently received the permit application and briefed the Commission generally on the application. He stated that any Commissioner who would desire a complete set of the permit documents to request such through his office. The Commission briefly discussed various aspects of the plan, and Mr. Duncan stated that the staff had a great deal of work before them in evaluating the project application and permits and the accompanying documents and would keep the Commission apprised as this deliberation progressed. He stated that the staff would bring any recommendations to the Commission for final approval. Commission Leary complimented the staff for the preparation of the documents and reports prepared for the Commission on this project. Chairman Burnside asked if there was anyone else that would like to address this project. Mr. Gene DuPont addressed

the Commission concerning the project. Mr. DuPont stated that he lived in the area and felt that generally the project will be very beneficial to the area, particularly in prevention of accidents and improving the traffic flow. He stated that he felt that the detrimental effects of the project to wildlife and other natural resources would be minimal and that wildlife would accommodate themselves to the project very readily, as they had in other areas of the state where such projects have been undertaken. He stated that he intended to prepare a statement for the Corps of Engineers and the Coastal Council, and would provide the Wildlife Commission with a copy of his statement once it was completed. Chairman Burnside thanked Mr. DuPont for taking time to address the Commission on this matter.

ITEM IV - NEW BUSINESS

A. Proposed Management Plan for the Richard B. Russell Mitigation Lands at Donnelley Wildlife Management Area: Chairman Burnside called on Brock Conrad to present the matter. Mr. Conrad stated that the Commission had been mailed a copy of the one-year plan, stated that it was a little more detailed than the larger document that had been prepared and it was necessary to get the budget approved by the Corps of Engineers. Dr. Timmerman briefly discussed non-consumptive use on the area and stated that this would be discussed in greater detail in the final plan. Commissioner Pendarvis commented after a brief discussion, stating that he would like to object again to the fact that only hunters were required to pay a fee to utilize this land, where fishermen, bird watchers, and other casual non-consumptive users were not required to pay anything toward the continued upkeep and management of the project. He stated that he felt this was terribly unfair. Mr. Conrad stated that this had been discussed at the Commission Retreat at the Webb Wildlife Center earlier in the year, and that the staff had planned to have a random sample survey of South Carolinians to test public support for the concept of other users paying a fee to utilize such areas. He stated that the staff was working to bring a proposal to the Commission at their next meeting to pursue this concept further. Commissioner Pendarvis asked if it would be necessary to get legislation passed to allow the Department to charge such fee, Chief Counsel Mabry replied that, in his opinion, it would be necessary to seek legislation authorizing the Department to charge such a fee. Commissioner Pendarvis stated that the State of Georgia had a very good law dealing with such matters and recommended that the staff review that law before the next

Commission Meeting. Dr. Timmerman stated that he would also have Legal Counsel and Mr. Reeves explore the legislative aspects of charging people other than hunters for the right to utilize such lands.

Dr. Timmerman also stated that the Department had taken over the Lodge on the Donnelley Center and was deliberating an appropriate fee schedule for the use of that facility. He stated that this would be under study by the staff, but in the meantime, they would assess a \$50.00-per-person-per-night fee for utilization of this Lodge, plus a \$30.00 cleanup charge per use. He stated that the staff would bring to the Commission, at a later date, a Revised Fee Schedule for utilization for all Department-owned facilities. After a brief discussion, Commissioner Miller moved to approve the one-year plan, Commissioner Rasor seconded the motion and the motion passed by a voice vote, with Commissioner Pendarvis asking that his vote be recorded in opposition.

B. Division Reports:

1. Administrative Services: There was nothing further to report.

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

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

4. Conservation Education & Communications: Dr. Timmerman reported there had been some concerns expressed at past Commission Meetings concerning the sale of by-products for the magazine and that Mr. Reeves had been working with leadership in the House Ways and Means Committee concerning some provisos in the budget bill that would give some relief in this area.

5. Marine Resources: There was nothing further to report.

C. Advisory Board Reports:

1. Marine Recreational Fisheries: Commissioner Poston stated that the Marine Recreational Fisheries Advisory Board had their third meeting and that it was well attended. He reported that the Advisory Board had approved bylaws for its conduct of business and it would meet quarterly, and they had elected a chairman and vice-chairman. He stated that the Department had sold almost 69,000 marine recreational fisheries stamps this year, bringing almost \$500,000 into the Department's budget. He stated that the Advisory Board's next meeting was scheduled for Thursday, March 4, 1993, and invited the Commission to attend. Commissioner Poston commended the Marine Resources and Law Enforcement Divisions staff, stating that the work that had been done so far could not have been done without their excellent cooperation and expertise.

D. Other Remarks: Commissioner Pendarvis reported that he had attended a Joint Law Enforcement Meeting with staff from the National Oceanic and Atmospheric Administration and had learned that there were federal funds available to South Carolina that were not being applied for and utilized by the Department. He suggested that the Law Enforcement staff and Advisory Board investigate this situation and pursue these funds, if at all possible. Commissioner Miller stated that he concurred in Commissioner Pendarvis' recommendation and asked him to serve as Liaison between the Law Enforcement Advisory Board and NOAA.

Dr. Timmerman stated that the Commission, at their last meeting, discussed some of the problems being manifest in the state in reference to hog hunting and deer hunting. After a brief discussion, the Commission asked the staff to continue to study and evaluate this situation and to bring recommendations to the Commission at a later meeting.

There were no further remarks from the Commission at this time. Commissioner Miller moved for the Commission to hold an Executive Session to discuss personnel and legal matters. Commissioner Poston seconded the motion and it was adopted by the Commission. Chairman Burnside announced that at this time, the Commission would hold an Executive Session to discuss legal and personnel matters.

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RETURN TO REGULAR SESSION

Following the Executive Session, the regular meeting was resumed and participants were invited into the meeting.

Commissioner Miller made the motion that the Commission approve the Quit-Claim Deed for one and one-half (1-1/2) acres to Hopewell Baptist Church in McCormick County. Commissioner Poston seconded the motion and the motion was passed.

Commissioner Miller made the motion that the Commission rescind the appointment of Dr. Livingston to the CEC Board and put in his place, Mr. William R. (Buddy) Jennings. Commissioner Poston seconded the motion and the motion was passed.

Commissioner Miller made the motion that the Commission approved the recommendations of the following law enforcement personnel

being promoted to Sergeant: District #2 - Stanley Davis, District #6 - Ulysses Flemming, Tommy Haile and Greg Smith. Commissioner Pendarvis made a motion that two appointments be carried over until next month. Commissioner Leary seconded the motion and the motion was passed.

Commissioner Miller made a motion that the Commission approve staff recommendations on DWCOs.

F. Time and Place of Next Meeting: Chairman Burnside thanked everyone for coming, stating that the Commission would hold its next regularly scheduled meeting on the third Friday in February, 1993 in Room 335 of the Rembert C. Dennis Building.

Dr. Timmerman stated that the Palmetto Sportsmen's Classic will be held March 26-28, 1993 and ask if the Commission would like to hold their meeting during that time. After a brief discussion, the Commission indicated they would like to hold their March meeting at that time.

ITEM V - ADJOURN

There being no further business to come before the regular meeting, the Commission adopted a motion to adjourn.