

MINUTES OF MEETING OF WILDLIFE RESOURCES COMMISSION  
IN RICHLAND COUNTY NOVEMBER 10, 1967

Present were all Commissioners except Mr. Oliphant, Directors Webb and Lunz, Pat Ryan, Ed Latimer, Frank Nelson, Fred Ramage, John Spinks, Russ Settle and Gene Howell. Also present were Attorney General Dan McLeod and Admiral D. P. Polatty of Greenville.

The first matter taken up was that of the car driven by Officer Frank Murphy of Berkeley county, the engine of which had been burned. At the October meeting the Commission had recommended that the cost of the repair work be collected from Officer Murphy, in line with a policy adopted by the Commission a short time ago that officers be held responsible for reckless or careless damage to their cars.

Mr. Howell said that Burnside Motors had written a letter stating that negligence of Officer Murphy was responsible for the damage and that it could not be paid under the warranty.

Mr. Eltzroth read a letter from Senator Dennis of Berkeley county requesting that the Commission not have the charges assessed against Officer Murphy, since he did not believe negligence of abuse was involved. He also read a copy of a letter he had written Senator Dennis on November 2, in which he said the Commission would be happy to have Officer Murphy present with counsel--but that nothing more had been received.

Mr. Eltzroth suggested that action be deferred, since the entire file in the matter was not at hand, and Mr. Howell was requested to get a sworn affidavit from Burnside's regarding the cause of the damage.

Mr. Eltzroth then read a letter from Attorney Jerome Askins of Hemingway to Mr. Welch regarding the Garden City canal ski markers, which said that citizens on the the canal would like to have a post with a high tide mark and also another mark which would show when skiing would not be allowed.



Mr. Welch had written Mr. Askins saying that the matter would have to be presented to the Commission for action.

After some further discussion, it was agreed that Mr. Welch should notify Mr. Askins that the Commission had gone as far as it could and the signs presently up are those under which skiers must operate. Mr. Welch was also to send copies to the Commission.

The minutes of the October meeting were approved.

The proposal of Dr. Freeman, presented at the last meeting, for the Commission to help financially with a study of the fish of the State then came up for action. Mr. Webb said that although the study would have some value, money was not available at the present but might possibly be obtained from other agencies. After some discussion the Commission adopted a motion of Mr. Glenn that nothing be done.

Mr. Webb then presented two accident reports. In regard to the fatal accident involving Officer J. D. Smoak, Mr. Eltzroth said the car had been taken to Hampton and was being examined by a mechanic to determine if there had been mechanical failure. Mr. Glenn said there was evidence that Officer Smoak might have been chasing a violator when the accident occurred. A motion of Dr. Jones was adopted that no action be taken in the matter.

A number of non-pay conservation officers were reappointed along with several new officers.

The accident involving Officers Gamble and Timmons was then taken up and a motion of Mr. Eppes was adopted that no action be taken, as the wardens were apparently not at fault. Mr. Mishoe suggested that Attorney Wallace Connor, who was handling the matter for Officers Gamble and Timmons, be associated with the Department in the case and Mr. Webb said this had already been done.



Mr. Nelson then related the Southeastern Association dove study that has been carried on for the past two years and said the states were voting on whether first to ask for relaxation of the baiting regulations, a longer season, or a bigger bag limit. The one of these favored by the majority of the Southeastern states would be expected to go into effect for next season. He said the Columbia office favored relaxation of the baiting regulations to allow the manipulation of planted crops. Mr. Webb said that most of the states were in favor of increasing the bag limit and this would probably be adopted. (The states can have only one of the three proposals, the plan being to see how the one chosen will affect the kill and the carryover population.)

Mr. Glenn suggested that the biologists of the Department be authorized to vote for whatever change they thought best.

In answer to a question from Mr. Mishoe, Mr. Nelson said that the average dove kill per gun has been slightly over five doves.

A motion of Mr. Mishoe was adopted that Mr. Webb and Mr. Nelson be authorized to make whichever recommendation they favored.

The matter of the airplane purchase then was discussed at some length and a motion of Mr. Glenn was adopted that the new plane be purchased, if it were within around \$5,000 in price of the slightly-used one and Mr. Webb, Mr. Settle and Mr. Eltzroth were to make the decision.

Mr. Webb said that Carl Walsh of the Santee-Cooper Authority had written requesting that Department law enforcement personnel enforce the trespass laws on the Authority property, this having become quite a problem. He said that the Department had always received excellent cooperation from Santee-Cooper and a motion of Mr. Mishoe was adopted that the request be agreed to.

John Spinks then told of the eight programs designed to help law enforcement people that would be beamed over ETV and said experts were being



secured for each of the programs. The programs will be beamed over closed circuits to each district. ETV will bear the cost of the first program and it is possible that federal financing can be secured for the remainder.

Mr. Ryan said the programs would be geared to the proper level and should better inform the officers so that they could answer questions and discuss various topics with authority. He said the program would be the first one in the United States. He also mentioned the plans of the Richland Technical Education Center to set up a two-year training course for law enforcement officers.

Mr. Mishoe brought up some confusing language in the law book for officers and said it should all be in language the layman can understand. It was agreed to carry over any action until the special legislative committee now studying and rewriting the laws had a chance to report.

In answer to a question from Dr. Jones, Mr. Welch said that the Principal Search and Rescue boat had been fully equipped but that all floats needed by other boats were not yet in, but should be before next summer.

Mr. Eltzroth said that a compromise had been worked out on the property line between the Department and Union Bag at Belmont, the company keeping the timber it had cut but recognizing the line claimed by the Department as the proper one in the future. The chairman and the director were authorized to sign the agreement

Dr. Lunz reported that the Budget and Control Board had not yet met to consider the proposed raises for his Division but was holding a meeting the same day as the Commission meeting.

In regard to a shooting incident between two beach seiners near Garden City he said the Attorney General McLeod had advised him the Department had no authority in the case and should not become involved. The Chief of Police had



asked that the Department help in preventing further occurrences.

The Commission authorized Dr. Lunz to pay for two more flights by the Bureau of Sports Fisheries along the coast, the information gained from these flights being of value to both sports and commercial fishermen. Each flight costs \$1,137.50. The flights would be paid for from the \$50,000 set up in the budget of the Division of Commercial Fisheries.

Dr. Lunz also brought up the matter of the cancellation of Lease No. 139 in Battery Creek and the pending appeal to Calhoun Thomas, the outcome of which is being awaited by applicants for the lease. He also mentioned a letter from H. Wayne Unger and J. N. Frank claiming all "oysters, fish and creeks except those which we have sold off" in the vicinity of Pine and Otter Island between the South Edisto and Ashepoo Rivers.

The matter of county treasurers declining to handle certain licenses for commercial fisheries was discussed, it being brought out there was so little return for some that the treasurers were not interested.

Mr. Eltzroth said the law should be complied with until the General Assembly changes it and added that he did not think anything should be done at the present time.

Admiral Polatty, who had recently been elected Conservationist of the Year at the annual banquet of the Wildlife Federation in Greenville, was recognized.

*Eddie Finlay*

